

राजस्टर नं० एस० एम० 14.



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

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शिमला, वीरवार, 4 दिसम्बर, 1975/13 अप्रहायण, 1897

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### GOVERNMENT OF HIMACHAL PRADESH

#### LAW DEPARTMENT

#### NOTIFICATION

*Simla-2, the 24th October, 1975*

No. LLR-E (9)7/75.—The following Ordinances promulgated by the President of India and published in the Gazette of India, Extraordinary, part II, section 1, are hereby republished in the Himachal Pradesh Government Rajpatra for the information of general public:—

1. The Indian Railways (Amendment) Ordinance, 1975 (10 of 1975).
2. The Payment of Bonus (Amendment) Ordinance, 1975 (11 of 1975).
3. The Equal Remuneration Ordinance, 1975 (12 of 1975).
4. The Regional Rural Banks Ordinance, 1975 (13 of 1975).
5. The Motor Vehicles (Amendment) Ordinance, 1975 (14 of 1975).

M. C. PADAM,  
Under Secretary, (Judicial).

THE INDIAN RAILWAYS (AMENDMENT) ORDINANCE, 1975

(No. 10 of 1975)

Promulgated by the President in the Twenty-sixth Year of the Republic of India.

An Ordinance further to amend the Indian Railways Act, 1890.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title  
and com-  
mencement.

Act 9 of  
1890 to be  
temporarily  
amended.

Amendment  
of Act 9 of  
1890.

Special pro-  
visions as  
to goods  
booked to  
notified  
stations.

1. (1) This Ordinance may be called the Indian Railways (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. During the period of operation of this Ordinance, the Indian Railways Act, 1890, shall have effect subject to the amendments specified in section 3.

3. In the Indian Railways Act, 1890, after section 56A, the following sections shall be inserted, namely:—

‘56B. (1) In this section and in sections 56C and 56D, unless the context otherwise requires,—

(a) “essential commodity” means essential commodity as defined in clause (a) of section 2 of Essential Commodities Act, 1955;

(b) “State Government”, in relation to a notified station, means the Government of the State in which such station is situated or where such station is situated in a Union territory, the Administrator of that Union territory appointed under article 239 of the Constitution;

(c) “notified station” means a station declared to be a notified station under sub-section (2);

(d) “prescribed” means prescribed by rules made by the Central Government under section 56 E;

(e) “termination of transit” means termination of transit determined in accordance with the provisions of clause (a) of sub-section (5) of section 77.

(2) The Central Government may, if satisfied that it is necessary that goods booked by trains intended solely for the carriage of goods to any railway station should be removed without delay from such railway station, declare, by notification in the Official Gazette, such railway station to be a notified station for such period as may be specified in the notification:

Provided that before declaring any railway station to be a notified station under this sub-section, the Central Government shall have regard to all or any of the following factors, namely:—

(a) the volume of traffic and the storage space available at such railway station;

- (b) the nature and quantities of goods generally booked to such railway station;
- (c) the scope for causing scarcity of such goods by not removing them for long periods from such railway station and the hardship which such scarcity may cause to the community;
- (d) the number of wagons likely to be held up at such railway station if goods are not removed therefrom quickly and the need for quick movement and availability of such wagons;
- (e) Such other factors (being factors relevant from the point of view of the interest of the general public) as may be prescribed:

Provided further that the period specified in any notification issued under this sub-section in respect of any railway station shall not exceed six months in the first instance but such period may, by a like notification, be extended from time to time by a period not exceeding six months on each occasion.

(3) If any person delivering to a railway administration any goods to be carried to a notified station makes an application in such form and manner as may be prescribed and specifies therein the address of the person to whom intimation of the arrival of the goods at the notified station shall be given and pays the postage fee required for giving such intimation, the railway administration shall, as soon as may be after the arrival of the goods at the notified station, send such intimation by registered post.

(4) There shall be exhibited at a conspicuous place in each notified station a statement in the prescribed form setting out the description of the goods which by reason of the fact that they have not been removed from the station within a period of seven days from the termination of transit thereof are liable to be sold, in accordance with the provisions of sub-section (1) of section 56C, by public auction and the dates on which they would be so sold:

Provided that different statements may be so exhibited in respect of goods proposed to be sold on different dates.

(5) If the goods specified in any statement prepared under sub-section(4) include essential commodities, the officer preparing the statement shall, as soon as may be after the preparation of such statement, forward a copy thereof to—

- (a) the representative of the Central Government, nominated by that Government in this behalf;
- (b) the representative of the State Government, nominated by that Government in this behalf; and
- (c) the district magistrate within the local limits of whose jurisdiction the railway station is situated.

56C. (1) If any goods booked for carriage by railway to any notified station by a train intended solely for the carriage of goods are not removed from such station by a person entitled to do so within a period of seven days after the termination of transit thereof at such station, the railway administration may, subject to the provisions of sub-section (2), sell such goods by public auction and apart from exhibiting in accordance with the

Disposal of  
unremoved  
goods at  
notified  
stations.

provisions of sub-section (4) of section 56B a statement containing a description of such goods, it shall not be necessary to give any notice of such public auction, but the dates on which such auction may be held under this sub-section may be notified in one or more local newspapers, or where there are no such newspapers, in such manner as may be prescribed:

Provided that if at any time before the sale of such goods under this sub-section the person entitled thereto pays the rates or charges and the expenses due in respect thereof to the railway administration, he shall be allowed to remove such goods.

(2) If any essential commodities which may be sold by public auction under sub-section (1) at a notified station are required by the Central Government or the State Government for its own use or if the Central Government or such State Government considers that it is necessary for securing the availability of all or any such essential commodities at fair prices so to do, it may, by order in writing, direct the officer in charge of such auction to transfer such goods to it or to such agency, co-operative society or other person (being an agency, co-operative society or other person subject to the control of the Government) engaged in the business of selling such essential commodities as may be specified in the direction.

(3) Every direction issued under sub-section (2) in respect of any essential commodity shall be binding on the officer to whom it is issued and the railway administration and it shall be a sufficient defence against any claim by the person entitled to the delivery thereof that such essential commodities have been transferred in compliance with such direction:

Provided that—

(a) such direction shall not be binding on such person or the railway administration—

(i) if it has not been received by such officer sufficiently in time to enable him to prevent the sale of the essential commodities to which it relates; or

(ii) if before the time appointed for such sale the person entitled to such goods pays the rates or charges and the expenses due in respect thereof and claims that he be allowed to remove the goods; or

(iii) if the price payable for such goods (as estimated by the Central Government or, as the case may be, the State Government) has not been credited to the railway administration in the prescribed manner and the railway administration is not indemnified against any additional amount which it may become liable to pay towards price by reason of the price not having been computed in accordance with the provisions of sub-section (4);

(b) where directions are issued in respect of the same goods both by the Central Government and the State Government, the directions received earlier shall prevail.

(4) The price payable for any essential commodity transferred in compliance with a direction issued under sub-section (2) shall be the price calculated in accordance with the provisions of sub-section (3) of section 3 of the Essential Commodities Act, 1955:

Provided that—

(a) in the case of any essential commodity being a foodstuff in respect whereof a notification issued under sub-section (3A) of section 3 of the Essential Commodities Act, 1955 is in force in the locality in which the notified station is situated, the price payable shall be calculated in accordance with the provisions of clauses (iii) and (iv) of that sub-section;

(b) in the case of an essential commodity being any grade or variety of foodgrains, edible oil-seeds or edible oils in respect whereof no notification issued under sub-section (3A) of section 3 of the Essential Commodities Act, 1955 is in force in the locality in which the notified station is situated, the price payable shall be calculated in accordance with the provisions of clauses (i) and (ii) of sub-section (3B) of that section;

(c) in the case of an essential commodity being any kind of sugar in respect whereof no notification issued under sub-section (3A) of section 3 of the Essential Commodities Act, 1955 is in force in the locality in which the notified station is situated, the price payable shall, if such sugar has been booked by the producer to himself, be calculated in accordance with the provisions of sub-section (2C) of that section.

*Explanation.*—For the purposes of this clause, the expressions “producer” and “sugar” shall have the meanings assigned to those expressions in the *Explanation* to sub-section (3C) of section 3, and clause (e) of section 2, of the Essential Commodities Act, 1955 respectively.

10 of 1955

56D. (1) Out of the proceeds of any sale of goods under sub-section (1) of section 56C or the price payable therefor under sub-section (4) of that section, the railway administration may retain a sum equal to the rates or charges due in respect of the goods and the expenses incurred in respect of the goods and the auction thereof and render the surplus, if any, to the person entitled thereto.

Price to be paid to person entitled after deducting dues.

(2) Notwithstanding anything contained in sub-section (1), the railway administration may recover by suit any such rate or charge or expenses referred to therein or balance thereof.

(3) Any goods sold under sub-section (1) of section 56C or transferred in compliance with directions issued under sub-section (2) of that section shall vest in the buyer or the transferee free from all encumbrances but subject to a priority being given for the sum which may be retained by a railway administration under sub-section (1), the person in whose favour such encumbrance subsists may have a claim in respect of such encumbrance against the surplus, if any, referred to in that sub-section.

56E. (1) The Central Government may, by notification in the Official Gazette, make rules for the purpose of giving effect to the provisions of sections 56B, 56C and 56D.

power to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the factors to which the Central Government shall have regard under clause (e) of the first proviso to sub-section (2) of section 56B;
- (b) the form and manner in which an application may be made under sub-section (3) of section 56B;
- (c) the form in which a statement required to be exhibited under sub-section (4) of section 56B shall be prepared;
- (d) the manner in which the dates of public auctions may be notified under sub-section (1) of section 56C; and
- (e) the manner of crediting to the Railway Administration the price of goods referred to in sub-clause (iii) of clause (a) of the proviso to sub-section (3) of section 56C.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule'.

FAKHRUDDIN ALI AHMED,  
*President.*

K. K. SUNDARAM,  
*Secy. to the Govt. of India.*

## MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS.

(Legislative Department)

New Delhi, the 25th September, 1975/Asvina 3, 1897 (Saka).

## THE PAYMENT OF BONUS (AMENDMENT) ORDINANCE, 1975

(No. 11 of 1975)

Promulgated by the President in the Twenty-sixth Year of the Republic of India.

An Ordinance further to amend the Payment of Bonus Act, 1965.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title  
and com-  
mencement.

1. (1) This ordinance may be called the Payment of Bonus (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. During the period of operation of this Ordinance, the Payment of Bonus Act, 1965 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 29 ( both inclusive) and the Income-tax Act, 1961 shall have effect subject to the amendment specified in section 30.

3. For the long title to the principal Act, the following long title shall be substituted, namely:—

“An Act to provide for the payment of bonus to persons employed in certain establishments on the basis of profits or on the basis of production or productivity and for matters connected therewith.”

4. In section 1 of the principal Act,—

Act 21 of  
1965 and  
Act 43 of  
1961 to be  
temporarily  
amended.

Amendment  
of long  
title.

Amendment  
of section 1.

(a) to sub-section (3), the following proviso shall be added, namely:—

“Provided i that the appropriate Government may, after giving not than two months' notice of its intention so to do, by notification in the Official Gazette, apply the provisions of this Act with effect from such accounting year as may be specified in the notification, to any establishment or class of establishments [including an establishment being a factory within the meaning of sub-clause (ii) of clause (m) of section 2 of the Factories Act, 1948] employing such number of persons less than twenty as may be specified in the notification, so, however, that the number of persons so specified shall in no case be less than ten.”;

(b) in sub-section (4), after the existing proviso, the following proviso shall be inserted, namely:—

“Provided further that when the provisions of this Act have been made applicable to any establishment or class of establishments by the issue of a notification under the proviso to sub-section (3), the reference to the accounting year commencing on any day in the year 1964 and every subsequent accounting year or, as the case may be, the reference to the accounting year commencing on any day in the year 1968 and every subsequent accounting year, shall, in relation to such establishment or class of establishments, be construed as a reference to the accounting year specified in such notification and every subsequent accounting year.”;

(c) in sub-section (5),—

(i) the words, brackets, letter and figure “under clause (b) of sub-section (3)” shall be omitted;

(ii) the words, brackets and figure “or, as the case may be, the number specified in the notification issued under the proviso to sub-section (3)” shall be added at the end.

5. In section 2 of the principal Act,—

(a) in clause (4),—

(i) in sub-clause (a), the brackets and words “(other than a banking company)” shall be omitted;

Amendment  
of section 2.

- (ii) the words, brackets and figures "and includes any amount treated as such under sub-section (2) of section 34" shall be omitted;
- (b) in clause (8), after the words, brackets and figures "any subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959", the words, brackets, figures and letter "any corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings), Act, 1970, any co-operative bank as defined in clause (b) (ii) of section 2 of the Reserve Bank of India Act, 1934," shall be inserted.

8 of 1959

5 of 1970

2 of 1934

Substitution  
of new sec-  
tion for sec-  
tion 4.

**6.** For section 4 of the principal Act, the following section shall be substituted, namely:—

Computa-  
tion of gross  
profits.

"4. The gross profits derived by an employer from an establishment in respect of any accounting year shall be calculated in the manner specified in the First Schedule.".

Amendment  
of section  
6.

**7.** In section 6 of the principal Act, in clause (d), for the words "Third Schedule", the words "Second Schedule" shall be substituted.

Substitution  
of new sec-  
tion for sec-  
tion 10.

Amount of  
bonus.

**8.** For section 10 of the principal Act, the following section shall be substituted, namely:—

"10. (1) Subject to the other provisions of this Act, where an employer has any allocable surplus in any accounting year, then, he shall be bound to pay to every employee in respect of that accounting year a minimum bonus which shall not be less than four per cent of the salary or wage earned by the employee during the accounting year or one hundred rupees whichever is higher, or, in a case where the allocable surplus exceeds the said amount of minimum bonus payable to the employees, an amount in proportion to the salary or wage earned by the employee during the accounting year subject to a maximum of twenty per cent of such salary or wage:

Provided that where an employee has not completed fifteen years of age at the beginning of that accounting year, the provisions of this sub-section shall have effect in relation to such employees as if for the words "one hundred rupees", the words "sixty rupees" were substituted.

- (2) For the purposes of sub-section (1), the allocable surplus shall be computed taking into account the amount set on or set off in the three immediately preceding accounting years and in the accounting year in respect of which the bonus is payable, in the manner illustrated in the Third Schedule.
- (3) Notwithstanding anything contained in this section, every employer shall be bound to pay to every employee in respect of the accounting year commencing on any day in the year 1974, a minimum bonus which shall be four per cent of the salary or wage earned by the employee during that accounting year or one hundred rupees whichever is higher, whether or not the employer has any allocable surplus in that accounting year:

Provided that where an employee has not completed fifteen years of age at the beginning of that accounting year, the provisions of this sub-section shall have effect in relation to such employee as if for the words "one hundred rupees" the words "sixty rupees" were substituted:

Provided further that where any employer has, before the commencement of the Payment of Bonus (Amendment) Ordinance, 1975, paid to his employees in respect of the accounting year commencing on any day in the year 1974, a minimum bonus in excess of that specified in this sub-section, notwithstanding that such employer did not have the required allocable surplus for the payment of such bonus, then, such employer shall deduct the excess amount of bonus so paid from the amount of bonus payable by him to the employees under this Act in respect of the three immediately succeeding accounting years and the employees shall be entitled to receive only the balance .".

<p><b>9.</b> Section 11 of the principal Act shall be omitted.</p> <p><b>10.</b> In section 12 of the principal Act, the words and figures "or, as the case may be, under section 11," shall be omitted.</p> <p><b>11.</b> For section 13 of the principal Act, the following section shall be substituted, namely:—</p> <p>"<b>13.</b> Where an employee has not worked for all the working days in any accounting year, the bonus payable to him under section 10 shall be proportionately reduced.".</p> <p><b>12.</b> For section 15 of the principal Act, the following section shall be substituted, namely:—</p> <p>"<b>15.</b> (1) Where for any accounting year the allocable surplus exceeds the amount of bonus payable to the employees in the establishment under section 10, then, the excess shall, subject to a limit of twenty per cent of the total salary or wage of the employees employed in the establishment in that accounting year , be carried forward for being set on in the succeeding accounting year and so on, to be utilised for the purpose of payment of bonus, in the manner illustrated in the Third Schedule.</p> <p>(2) Where for any accounting year, there is no allocable surplus or the allocable surplus in respect of that year falls short of the amount of bonus payable to the employees in the establishment under section 10, and there is no sufficient amount carried forward and set on under sub-section (1) which could be utilised for the purpose of payment of bonus, then, so much amount as is necessary for the payment of bonus under this Act shall be carried forward for being set off in the succeeding accounting year and so on in the manner illustrated in the Third Schedule.</p> <p>(3) The principle of set on and set off as illustrated in the Third Schedule shall apply to all other cases not covered by sub-section (1) or sub-section (2) for the purpose of payment of bonus under this Act."</p>	<p>Omission of section 11.</p> <p>Amendment of section 12.</p> <p>Substitution of new section for section 13.</p> <p>Proportionate deduction in bonus in certain cases.</p> <p>Substitution of new section for section 15.</p> <p>Set on and set off of allocable surplus.</p>
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Amendment  
of section  
16.

**13. In section 16 of the principal Act,—**

(a) for sub-section (1) and the *Explanations* thereto, the following sub-sections and *Explanations* shall be substituted, namely:—

“(1) Where an establishment is newly set up, whether before or after the commencement of this Act, the employees of such establishment shall be entitled to be paid bonus under this Act in accordance with the provisions of sub-sections (1A), (1B) and (1C).

(1A) In the first five accounting years following the accounting year in which the employer sells the goods produced or manufactured by him or renders services, as the case may be from such establishment, bonus shall be payable only in respect of the accounting year in which the employer derives profit from such establishment and such bonus shall be calculated in accordance with the provisions of this Act in relation to that year but without applying the provisions of section 15.

(1B) For the sixth and seventh accounting years following the accounting year in which the employer sells the goods produced or manufactured by him or renders services, as the case may be, from such establishment, the provisions of section 15 shall apply subject to the following modifications, namely:—

(i) for the sixth accounting year—

set on or set off, as the case may be, shall be made in the manner illustrated in the Third Schedule taking into account the excess or deficiency, if any, as the case may be of the allocable surplus set on or set off in respect of the fifth and sixth accounting years;

(ii) for the seventh accounting year—

set on or set off, as the case may be, shall be made in the manner illustrated in the Third Schedule taking into account the excess or deficiency, if any, as the case may be, of the allocable surplus set on or set off in respect of the fifth, sixth and seventh accounting years.

(1C) From the eighth accounting year following the accounting year in which the employer sells the goods produced or manufactured by him or renders services, as the case may be, from such establishment, the provisions of section 15 shall apply in relation to such establishment as they apply in relation to any other establishment.

*Explanation I.*—For the purpose of sub-section (1), an establishment shall not be deemed to be newly set up merely by reason of a change in its location, management, name or ownership.

*Explanation II.*—For the purpose of sub-section (1A), an employer shall not be deemed to have derived profit in any accounting year unless—

(a) he has made provision for that year's depreciation to which he is entitled under the Income-tax Act or, as the case may be, under the agricultural Income-tax law; and

(b) the arrears of such depreciation and losses incurred by him in respect of the establishment for the previous accounting years have been fully set off against his profits.

*Explanation III.*—For the purposes of sub-sections (1A), (1B) and (1C), sale of the goods produced or manufactured during the course of the trial running of any factory or of the prospecting stage of any mine or any oil-field shall not be taken into consideration and where any question arises with regard to such production or manufacture, the decision of the appropriate Government made after giving the parties a reasonable opportunity of representing the case, shall be final and shall not be called in question by any court or other authority.”;

(b) in sub-section (2), for the word, brackets and figure “sub-section (1A)”, the words, brackets, figures and letters “sub-sections (1) (1A), (1B) and (1C)” shall be substituted.

**14. In section 19 of the principal Act,—**

Amendment  
of section  
19.

(a) in sub-section (1), for the brackets, figure and words “(1) Subject to the provisions of this section, all amounts”, the words “All amounts” shall be substituted;

(b) sub-sections (2) to (7) shall be omitted.

**15. In section 20 of the principal Act,—**

Amendment  
of section 20.

(a) in sub-section (1), the brackets and figure “(1)” shall be omitted;

(b) sub-section (2) shall be omitted.

**16. In section 21 of the principal Act, in the *Explanation*, the figures “24” shall be omitted.**

Amendment  
of section  
21.

**17. In section 23 of the principal Act, in sub-section (1), for the words and figures “and in sections 24 and 25”, the words and figures “and in section 25” shall be substituted.**

Amendment  
of section  
23.

**18. Section 24 of the principal Act shall be omitted.**

Omission  
of section  
24.

**19. In section 27 of the principal Act, sub-section (5) shall be omitted.**

Amendment  
of section  
27.

**20. After section 31 of the principal Act, the following section shall be inserted, namely:—**

Insertion of  
new section  
31 A.

“31A. Notwithstanding anything contained in this Act, where an agreement or a settlement has been entered into by the employees with their employer before the commencement of the Payment of Bonus (Amendment) Ordinance, 1975 or, where the employees enter into any agreement or settlement with their employer after such commencement for payment of an annual bonus linked with production or productivity in lieu of bonus based on profits payable under this

Special pro-  
vision with  
respect to  
certain  
employees  
for pay-  
ment of  
bonus,

Act, then, such employees shall be entitled to receive bonus due to them under such agreement or settlement, as the case may be:

Provided that such employees shall not be entitled to be paid such bonus in excess of twenty per cent of the salary or wage earned by them during the relevant accounting year.”.

**21. In section 32 of the principal Act,—**

Amendment  
of section  
32.

(a) for clause (vii), the following clause shall be substituted, namely:—

“(vii) employees employed by a banking company;”;

(b) in clause (ix),—

(i) after sub-clause (f), the following sub-clause shall be inserted, namely:—

“(ff) the Industrial Reconstruction Corporation of India;”;

(ii) in sub-clause (g), the brackets and words “(other than a banking company)” shall be omitted;

(c) clause (x) shall be omitted.

**22. Section 33 of the principal Act shall be omitted.**

Omission  
of section  
33.

**23. For section 34 of the principal Act, the following section shall be substituted, namely:—**

Substitution  
of new sec-  
tion for sec-  
tion 34.  
Effect of  
laws and  
agreements  
inconsistent  
with the  
Act.

“34. Subject to the provisions of section 31A, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in the terms of any award, agreement, settlement or contract of service.”.

**24. Section 37 of the principal Act shall be omitted.**

Omission  
of section  
37.

**25. In section 38 of the principal Act, in sub-section (3),—**

Amendment  
of section  
38.

(a) for the words “or in two successive sessions”, the words “or in two or more successive sessions” shall be substituted;

(b) for the words “in which it is so laid or the session immediately following”, the words “immediately following the session or the successive sessions aforesaid” shall be substituted.

**26. The First Schedule to the principal Act shall be omitted,**

Omission  
of the First  
Schedule.

Amendment  
of  
the  
Second Sche-  
dule.

27. In the Second Schedule to the principal Act,—

(a) for the heading “THE SECOND SCHEDULE”, the heading “THE FIRST SCHEDULE” shall be substituted;

(b) for the sub-heading “[See section 4(b)]”, the sub-heading “(See section 4)” shall be substituted;

(c) in Item 3, after sub-item (a), the following sub-item shall be inserted, namely:—

“(aa) The amount debited in respect of gratuity paid or payable to employees in excess of the aggregate of—

(i) the amount, if any, paid to, or provided for payment to, an approved gratuity fund; and

(ii) the amount actually paid to employees on their retirement or on termination of their employment for any reason.”;

(d) in Item 6, for sub-item (g), the following sub-item shall be substituted, namely:—

“(g) Cash subsidy, if any, given by the Government or by any body corporate established by any law for the time being in force or by any other agency through budgetary grants, whether given directly or through any agency for specified purposes and the proceeds of which are reserved for such purposes.”;

(e) before the foot-notes, the following *Explanation* shall be inserted, namely:—

*Explanation.*—In sub-item (aa) of Item 3, “approved gratuity fund” has the same meaning assigned to it in clause (5) of section 2 of the Income-tax Act.’.

28. In the Third Schedule to the principal Act,—

(a) for the heading “THE THIRD SCHEDULE”, the heading “THE SECOND SCHEDULE” shall be substituted;

(b) in Item 1, in column (2), the words “, other than a banking company” shall be omitted;

(c) Item 2 and the entries relating thereto shall be omitted;

(d) in the *Explanation*, the figures and brackets “, 2 (iii)” shall be omitted.

29. For the Fourth Schedule to the principal Act, the following Schedule shall be substituted, namely:—

Amendment  
of  
the  
Third  
Schedule.

‘THE THIRD SCHEDULE

(See sections 10, 15 and 16)

The illustration in this Schedule has been worked out with reference to an establishment which has an annual salary or wage bill of rupees one lakh,

Substitution  
of new  
Schedule  
for the  
Fourth  
Schedule.

twenty per cent of which amounts to Rs. 20,000 and four per cent of which amounts to Rs. 4,000.

Year (1)	Amount equal to sixty per cent or sixty-seven per cent, the preced- as the case may be, of available surplus allocable as bonus (2)	'Set on' or 'set off' of id or pay- ing year (3)	Amount pa- payable as bo- nus (4)	Balance of 'set on' or 'set off' (5)
	(Rs.)	(Rs.)	(Rs.)	(Rs.)
1.	42,000	+3,000(a)	20,000	+20,000(b)
2.	Nil	+20,000	20,000	Nil
3.	10,000	Nil	10,000	Nil
4.	10	Nil	4,000	-3,990
5.	100	-3,990	4,000	-7,890
6.	Nil	-7,890	Nil	-7,890
7.	27,890	-7,890	20,000	Nil
8.	Nil	Nil	Nil	Nil
9.	25,000	Nil	20,000	+5,000
10.	15,100	+5,000	20,000	+100
11.	Nil	+100	4,000	-3,900

*Notes.*—1. The notation “+” denotes ‘set on’ and the notation “—” denotes ‘set off’.

2. “(a)” represents the amount ‘set on’ as calculated under the provisions of this Act as it stood immediately before the commencement of the Payment of Bonus (Amendment) Ordinance, 1975.

“(b)” represents the maximum amount to be ‘set on’ under section 15.’.

Amendment  
of section  
36 of the  
Income-tax  
Act.

43 of 1961

30. In sub-section (1) of section 36 of the Income-tax Act, 1961, in the proviso to clause (ii), for the words “Provided that the amount of the bonus or commission”, the words “Provided further that the amount of the bonus (not being bonus referred to in the first proviso) or commission” shall be substituted and before that proviso as so amended, the following proviso shall be inserted, namely:—

“Provided that the deduction in respect of bonus paid to an employee employed in a factory or other establishment to which the provisions of the Payment of Bonus Act, 1965 apply shall not exceed the amount of bonus payable under that Act.”.

21 of 1965

Saving

31. For the removal of doubts, it is hereby declared that notwithstanding the amendments made to the principal Act by this Ordinance, the provisions of the principal Act as they stood from time to time before the commencement of this Ordinance shall apply and continue to apply to and

in relation to the payment of bonus in respect of any accounting year preceding the accounting year commencing on any day in the year 1974.

FAKHRUDDIN ALI AHMED,  
*President.*

K. K. SUNDARAM,  
*Secy. to the Govt. of India.*

## THE EQUAL REMUNERATION ORDINANCE, 1975

(No. 12 OF 1975)

*Promulgated by the President in the Twenty-Sixth Year of the Republic of India.*

*An Ordinance to provide for the payment of equal remuneration to men and women workers and for the prevention of discrimination, on the ground of sex, against women in the matter of employment and for matters connected therewith or incidental thereto.*

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

### CHAPTER I

#### PRELIMINARY

1. (1) This Ordinance may be called the Equal Remuneration Ordinance, 1975.

Short title,  
extent and  
comment-  
cement.

(2) It extends to the whole of India.

(3) It shall come into force on such date, not being later than three years from the date of promulgation of this Ordinance, as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different establishments or employments.

2. In this Ordinance, unless the context otherwise requires,—

Definitions

(a) "appropriate Government" means,—

(i) in relation to any employment carried on by or under the authority of the Central Government or a railway administration, or in relation to a banking company, a mine, oil-field or major port or

any corporation established by a Central Act, the Central Government, and

(ii) in relation to any other employment, the State Government;

- (b) "commencement of this Ordinance" means, in relation to an establishment or employment, the date on which this Ordinance comes into force in respect of that establishment or employment;
- (c) "employer" has the meaning assigned to it in clause (f) of section 2 of the Payment of Gratuity Act, 1972;
- (d) "prescribed" means prescribed by rules made under this Ordinance;
- (e) "remuneration" means the basic wage or salary, and any additional emoluments whatsoever payable, either in cash or in kind, to a person employed in respect of his employment or of work done in such employment, if the terms of the contract of employment, express or implied, were fulfilled;
- (f) "man" and "woman" means male and female human beings, respectively, of any age;
- (g) "same work or work of a similar nature" means work in respect of which the skill, effort and responsibility required are the same, when performed under similar working conditions, by a man or a woman and the differences, if any, between the skill, effort and responsibility required of a man and those required of a woman are not of practical importance in relation to the terms and conditions of employment;
- (h) "worker" means a worker in any establishment or employment in respect of which this Ordinance has come into force;
- (i) words and expressions used in this Ordinance and not defined but defined in the Industrial Disputes Act, 1947, shall have the meanings respectively assigned to them in that Act.

Ordinance  
to have  
over-riding  
effect.

3. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law or in the terms of any award, agreement or contract of service, whether made before or after the commencement of this Ordinance, or in any instrument having effect under any law for the time being in force.

## CHAPTER II

### PAYMENT OF REMUNERATION AT EQUAL RATES TO MEN AND WOMEN WORKERS AND OTHER MATTERS

Duty of  
employer  
to pay  
equal  
emolu-  
ments to  
men and  
women  
workers  
for same  
work or  
work of  
a similar  
nature.

4. (1) No employer shall pay to any worker, employed by him in an establishment or employment, remuneration, whether payable in cash or in kind, at rates less favourable than those at which remuneration is paid by him to the workers of the opposite sex in such establishment or employment for performing the same work or work of a similar nature.

(2) No employer shall, for the purpose of complying with the provisions of sub-section (1), reduce the rate of remuneration of any worker.

(3) Where in an establishment or employment the rates of remuneration payable before the commencement of this Ordinance for men and women workers for the same work or work of a similar nature are different only on ground of sex, then the higher (in cases where there are only two rates),

or, as the case may be, the highest (in cases where there are more than two rates) of such rates shall be the rate at which remuneration shall be payable, on and from such commencement, to such men and women workers:

Provided that nothing in this sub-section shall be deemed to entitle a worker to the revision of the rate of remuneration payable to him or her with reference to the service rendered by him or her before the commencement of this Ordinance.

5. On and from the commencement of this ordinance, no employer shall, while making recruitment for the same work or work of a similar nature, make any discrimination against women except where the employment of women in such work is prohibited or restricted by or under any law for the time being in force :

Provided that the provisions of this sub-section shall not affect any priority or reservation for scheduled castes or scheduled tribes, ex-servicemen, retrenched employees or any other class or category of persons in the matter of recruitment to the posts in an establishment or employment.

No discrimination to be made while recruiting men and women workers.

6. (1) For the purpose of providing increasing opportunities to women for employment, the appropriate Government shall constitute one or more Advisory Committees to advise it with regard to the extent to which women may be employed in such establishments or employments as the Central Government may, by notification in the Official Gazette, specify in this behalf.

Advisory Committee.

(2) Every Advisory Committee shall consist of not less than ten persons, to be nominated by the appropriate Government, of which one-half shall be women.

(3) In tendering its advice, the Advisory Committee shall have regard to the number of women employed in the concerned establishment or employment the nature of work, hours of work, suitability of women for employment, as the case may be, the need for providing increasing employment opportunities for women, including part time employment, and such other relevant factors as the Committee may think fit.

(4) The Advisory Committee shall regulate its own procedure.

(5) The appropriate Government may, after considering the advice tendered to it by the Advisory Committee and after giving to the persons concerned in the establishment or employment, an opportunity to make representations, issue such directions in respect of employment of women workers, as the appropriate Government may think fit.

7. (1) The appropriate Government may, by notification in the Official Gazette, appoint such officers, not below the rank of a Labour Officer, as it thinks fit to be the authorities for the purpose of hearing and deciding—

- (a) complaints with regard to the contravention of any provision of this Ordinance;
- (b) claims arising out of non-payment of wages at equal rates to men

Power of appropriate Government to appoint authorities for hearing

and deciding claims and complaints.

and women workers for the same work or work of a similar nature,

and may, by the same or subsequent notification, define the local limits within which each such authority shall exercise its jurisdiction:

(2) Every complaint or claim referred to in sub-section (1) shall be made in such manner as may be prescribed.

(3) If any question arises as to whether two or more works are of the same nature or of a similar nature it shall be decided by the authority appointed under sub-section (1).

(4) Where a complaint or claim is entertained under sub-section (1), the authority appointed under sub-section (1) may, after giving the applicant and the employer an opportunity of being heard, and after such inquiry as it may consider necessary, direct,—

(i) in the case of a claim arising out of non-payment of wages at equal rates to men and women workers for the same work or work of a similar nature, the payment to the workers of the amount by which the wages payable to him exceed the amount actually paid;

(ii) in the case of complaint, that adequate steps be taken by the employer so as to ensure that there is no contravention of any provision of this Ordinance.

(5) Save as otherwise provided in sub-section (6), every authority appointed under sub-section (1) shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908, for the purpose of taking evidence and of enforcing the attendance of witnesses and compelling the production of documents, and every such authority shall be deemed to be a Civil Court for all the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

5 of 1908

2 of 1974

(6) Any employer or worker aggrieved by any order made by an authority appointed under sub-section (1), on a complaint or claim may, within thirty days from the date of the order, prefer an appeal to such authority as the appropriate government may, by notification in the Official Gazette, specify in this behalf, and that authority may, after hearing the appeal confirm, modify or reverse the order appealed against and no further appeal shall lie against the order made by such authority.

(7) The authority referred to in sub-section (6) may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the period specified in sub-section (6), allow the appeal to be preferred within a further period of thirty days but not thereafter.

(8) The provisions of sub-section (1) of section 33C of the Industrial disputes Act, 1947, shall apply for the recovery of monies due from an employer arising out of the decision of an authority appointed under this section.

14 of 1947

### CHAPTER III

#### MISCELLANEOUS

8. On and from the commencement of this Ordinance, every employer shall maintain such registers in relation to the workers employed by him as may be prescribed.

Duty of employers to maintain registers.

9. (1) The appropriate Government may, by notification in the Official Gazette, appoint such persons as it may think fit to be Inspectors for the purpose of making an investigation as to whether the provisions of this Ordinance, or the rules made thereunder, are being complied with by employers, and may define the local limits within which an Inspector may make such investigation.

Inspectors

(2) Every Inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

(3) An Inspector may, at any place within the local limits of his jurisdiction,—

- (a) enter, at any reasonable time, with such assistance as he thinks fit, any building factory, premises or vessel;
- (b) require any employer to produce any register, muster-roll or other documents relating to the employment of workers, and examine such document;
- (c) take, on the spot or otherwise, the evidence of any person for the purpose of ascertaining whether the provisions of this Ordinance are being, or have been, complied with;
- (d) examine the employer, his agent or servant or any other person found in charge of the establishment or any premises connected therewith or any person whom the Inspector has reasonable cause to believe to be, or to have been, a worker in the establishment;
- (e) make copies, or take extracts from, any register or other document maintained in relation to the establishment under this Ordinance.

(4) Any person required by an Inspector to produce any register or other document or to give any information shall comply with such requisition.

10. (1) After the commencement of this Ordinance, any employer, being required under the Ordinance, so to do—

- (a) omits or fails to produce any register, muster-roll or other document relating to the employment of workers, or
- (b) omits or refuses to give any evidence or prevents his agent, servant, or any other person in charge of the establishment, or any worker, from giving evidence, or
- (c) omits or refuses to give any information, he shall be punishable with fine which may extend to one thousand rupees.

(2) If after the commencement of this Ordinance, any employer—

- (a) makes any recruitment in contravention of the provisions of this Ordinance, or

- (b) makes any payment of remuneration at unequal rates to men and women workers, for the same work or work of a similar nature, or
- (c) makes any discrimination between men and women workers in contravention of the provisions of this Ordinance, or
- (d) omits or fails to carry out any direction made by the appropriate Government under sub-section (5) of section 6,

he shall be punishable with fine which may extend to five thousand rupees.

(3) If any person being required so to do, omits, or refuses to produce to an Inspector any register or other document or to give any information, he shall be punishable with fine which may extend to five hundred rupees.

**Offences  
by compa-  
nies.**

**11.** (1) Where an offence under this Ordinance has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Ordinance has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.—*For the purposes of this section,—

- (a) "company" means any body corporate and includes a firm or other association of individuals; and
- (b) "director" in relation to a firm, means a partner in the firm.

**Cogni-  
zance of  
offences.**

**12.** (1) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Ordinance.

(2) No court shall take cognizance of an offence punishable under this Ordinance except upon a complaint made with the sanction of the appropriate Government or an officer authorised by it in this behalf.

(3) No Court shall take cognizance of an offence punishable under this Ordinance unless complaint thereof is made within three months of the grant of sanction under this section.

**Power to  
make  
rules.**

**13.** (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Ordinance,

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the manner in which complaints regarding the contravention of any provision of this Ordinance is to be made;
- (b) registers which an employer shall be required to maintain in relation to the workers employed by him;
- (c) any other matter which is required to be, or may be, prescribed.

(3) Every rule made by the Central Government under this Ordinance shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**14. The Central Government may give directions to a State Government as to the carrying into execution of this Ordinance in the State.**

Power of  
Central  
Govern-  
ment to  
give direc-  
tions.

**15. In so far as—**

- (a) the terms and conditions of a woman's employment are, in any respect, affected by compliance with the law regulating the employment of women, or
- (b) any special treatment is accorded to women in connection with the birth or expected birth of a child,

Ordinance  
not to  
apply in  
certain  
special  
cases.

then to that extent the requirement of equal treatment for men and women as mentioned in this Ordinance shall not apply (but without prejudice to its operation as regards other matters), nor shall that requirement extend to requiring equal treatment as regards terms and conditions related to retirement, marriage, or death or to any provision made in connection with retirement, marriage or death.

**16. Where the appropriate Government is, on a consideration of all the circumstances of the case, satisfied that the difference in regard to the remuneration, or a particular species of remuneration, of men and women workers in any establishment or employment is based on a factor other than sex, it may, by notification in the Official Gazette, make a declaration to that effect, and any act of the employer attributable to such a difference shall not be deemed to be a contravention of any provision of this Ordinance.**

Power to  
make dec-  
laration.

Power to  
remove  
difficulties.

17. If any difficulty arises in giving effect to provisions of this Ordinance, the Central Government may, by notification in the Official Gazette, make any order, not inconsistent with the provisions of this Ordinance, which appears to it to be necessary for the purpose of removing the difficulty:

Provided that every such order shall, as soon as may be after it is made, be laid before each House of Parliament.

FAKHRUDDIN ALI AHMED,  
*President.*

K. K. SUNDARAM,  
*Secy. to the Govt. of India.*

THE REGIONAL RURAL BANKS ORDINANCE, 1975  
NO. 13 OF 1975

Promulgated by the President in the Twenty-sixth Year of the Republic of India.

An Ordinance to provide for the incorporation, regulation and winding up of Regional Rural Banks with a view to developing the rural economy by providing, for the purpose of development of agriculture, trade, commerce, industry and other productive activities in the rural areas, credit and other facilities, particularly to the small and marginal farmers, agricultural labourers artisans and small entrepreneurs, and for matters connected therewith and incidental thereto.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

## CHAPTER I

### PRELIMINARY

Short title,  
extent and  
commencement.

1. (1) This Ordinance may be called the Regional Rural Banks Ordinance, 1975.

(2) [It extends to the whole of India.]

(3) It shall come into force at once.

2. In this Ordinance, unless the context otherwise requires,—

Definitions.

- (a) "Board", in relation to a Regional Rural Bank, means the Board of directors of that Regional Rural Bank;
- (b) "Chairman", in relation to a Regional Rural Bank, means the individual appointed or re-appointed under sub-section (1) of section 11 as the Chairman of that Bank;
- (c) "director", in relation to a Regional Rural Bank, means a member of the Board of that bank, but does not include the Chairman;
- (d) "notified area", means the local limits specified under sub-section (1) of section 3, within which a Regional Rural Bank shall operate;
- (e) "prescribed", means prescribed by rules made under this Ordinance;
- (f) "Regional Rural Bank", means a Regional Rural Bank established under sub-section (1) of section 3;
- (g) "Sponsor Bank", in relation to a Regional Rural Bank, means a bank by which such Regional Rural Bank has been sponsored;
- (h) "State Government" means—
  - (i) in relation to a Regional Rural Bank established in a Union territory, the Central Government;
  - (ii) in relation to a Regional Rural Bank established in a State, the Government of that State;
- (i) words and expressions used herein and not defined but defined in the Reserve Bank of India Act, 1934, shall have the meanings respectively assigned to them in that Act;
- (j) words and expressions used herein and not defined either in this Ordinance or in the Reserve Bank of India Act, 1934, but defined in the Banking Regulation Act, 1949, shall have the meanings respectively assigned to them in the Banking Regulation Act, 1949.

2 of 1934

10 of 1949

## CHAPTER II

### INCORPORATION AND CAPITAL OF REGIONAL RURAL BANKS

3. (1) The Central Government may, if requested so to do by a Sponsor Bank, by notification in the Official Gazette, establish in a State or Union territory, one or more Regional Rural Banks with such name as may be specified in the notification and may, by the said or subsequent notification, specify the local limits within which each Regional Rural Bank shall operate.

Establishment and incorporation of Regional Rural Banks

(2) Every Regional Rural Bank shall be a body corporate with perpetual succession and a common seal with power, subject to the provisions of this Ordinance, to acquire, hold and dispose of property and to contract and may sue and be sued in its name.

**(3)** It shall be the duty of the Sponsor Bank to aid and assist the Regional Rural Bank, sponsored by it, by subscribing to the share capital of such Regional Rural Bank, recruitment and training of personnel during the initial period of functioning of the Regional Rural Bank and providing such managerial and financial assistance as may be mutually agreed upon between the Sponsor Bank and the Regional Rural Bank.

Offices  
and  
agencies.

**4.** (1) A Regional Rural Bank shall have its head office at such place in the notified area as the Central Government may, after consultation with the Reserve Bank and the Sponsor Bank, specify by notification in the Official Gazette.

(2) A Regional Rural Bank may, if it is of opinion that it is necessary so to do, establish its branches or agencies at any place in the notified area.

Authorised  
capital.

**5.** The authorised capital of each Regional Rural Bank shall be one crore of rupees, divided into one lakh of fully paid-up shares of one hundred rupees each:

Provided that the Central Government may, after consultation with the Reserve Bank and the Sponsor Bank, increase or reduce such authorised capital; so, however, that the authorised capital shall not be reduced below twenty five lakhs of rupees, and the shares shall be in all cases, fully paid-up shares of one hundred rupees each.

Issued  
capital.

**6.** (1) The issued capital of each Regional Rural Bank shall be twenty five lakhs of rupees.

(2) Of the capital issued by a Regional Rural Bank under sub-section (1), fifty per cent shall be subscribed by the Central Government; fifteen per cent by the concerned State Government and thirty five per cent by the Sponsor Bank.

(3) The Board may, after consultation with the Reserve Bank and the Sponsor Bank and with the prior approval of the Central Government from time to time, increase the issued capital of the Regional Rural Bank; and, where additional capital is issued, such capital shall also be subscribed in the same proportion as is specified in sub-section (2).

Shares  
to be  
approved  
securities.

**7.** Notwithstanding anything contained in the Acts hereinafter mentioned in this section, the shares of a Regional Rural Bank shall be deemed to be included among the securities enumerated in section 20 of the Indian Trusts Act, 1882, and shall also be deemed to be approved securities for the purposes of the Banking Regulation Act, 1949.

2 of 1882.  
10 of 1949

## CHAPTER III

### MANAGEMENT

Manage-  
ment.

**8.** (1) Subject to the provisions of this Ordinance, the general superintendence, direction and management of the affairs and business of a Regional Rural Bank shall vest in a Board of directors who may exercise all the powers and discharge all the functions which may be exercised or discharged by the Regional Rural Bank.

(2) In discharging its functions, the Board shall act on business principles and shall have due regard to public interest.

9. (1) The Board of directors shall consist of the Chairman appointed under sub-section (1) of section 11, and the following other members, namely:—

- (a) not more than three directors, to be nominated by the Central Government;
- (b) not more than two directors, to be nominated by the concerned State Government; and
- (c) not more than three directors, to be nominated by the Sponsor Bank.

(2) The Central Government may increase the number of members of the Board; so, however, that the number of directors does not exceed fifteen in the aggregate and also prescribed the manner in which the additional number may be filled in.

10. A director shall hold office for a period of two years from the date when he assumes office and may, on the expiry of the said period, continue to hold office until his successor has been nominated and shall also be eligible for renomination.

11. (1) The Central Government shall appoint an individual to be the Chairman of a Regional Rural Bank and specify the period, not exceeding five years, for which such individual shall, subject to the provisions of sub-section (4), hold office as the chairman.

(2) The individual, appointed as a Chairman under sub-section (1), shall, on the expiry of the period specified under that sub-section, be eligible for re-appointment.

(3) The Chairman shall devote his whole time to the affairs of the Regional Rural Bank and shall have, subject to the superintendence, control and direction of the Board, the management of the whole of the affairs of the Regional Rural Bank.

(4) The Chairman shall hold Office during the pleasure of the Central Government.

(5) The Chairman shall receive such salary and allowances and be governed by such terms and conditions of service as may be prescribed by the Central Government.

(6) If the Chairman is, by infirmity or otherwise, rendered incapable of carrying out his duties or is absent, on leave or otherwise, in circumstances not involving the vacation of office, the Central Government may appoint another individual to act as the Chairman during the absence of the first-mentioned Chairman.

12. A person shall be disqualified for being nominated as, and for being, a director, if he—

- (a) is, or, at any time has been, adjudged insolvent or has suspended payment of his debt or has compounded with his creditors, or

Board of  
directors.

Term of  
office of  
director.

Chairman

Disqualifi-  
cations.

(b) is of unsound mind and stands so declared by a competent court, or  
(c) is, or has been, convicted of an offence which, in the opinion of the Central Government, involves moral turpitude.

Vacation  
of the  
seat of  
directors.

13. (1) If a director—

(a) becomes subject to any disqualification specified in section 12,  
or  
(b) is absent without leave of the Board for more than three consecutive meetings thereof.

his seat shall thereupon become vacant.

(2) The Chairman may resign his office by giving notice thereof in writing to the Central Government and a director may resign his office by giving notice thereof to the authority by which he was nominated; and, on such resignation being accepted, the Chairman or the director, as the case may be, shall be deemed to have vacated his office.

Meetings  
of Board.

14. (1) The Board of directors of a Regional Rural Bank shall meet at such time and place and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed.

(2) The Chairman of the Regional Rural Bank shall preside over every meeting of the Board, in his absence, such director as the Chairman may generally, or in relation to any particular meeting, authorise in this behalf shall preside; and, in the absence of both the Chairman and the director so authorised, the directors present at the meeting shall elect one from among themselves to preside over the meeting.

*Explanation.*—For the purposes of this sub-section, “absence from a meeting” means non-attendance for any reason whatsoever at the meeting, or any part of the meeting during which any business is transacted.

(3) All questions at a meeting of the Board shall be decided by a majority of the votes of the directors present and voting; and, in case of equality of votes, the person presiding shall have a second or casting vote.

(4) No director shall, as a director, take part in the discussion of, or vote on, any contract, loan, arrangement or proposal, entered into or to be entered into, by or on behalf of the Regional Rural Bank, if he is, in any way, whether directly or indirectly interested in the contract, loan, arrangement or proposal and shall, at the earliest possible opportunity, disclose to the Board the nature of his interest in such contract, loan, arrangement or proposal, nor shall his presence count for the purpose of forming any quorum at the time of any such discussion or vote, and, if he does vote, his vote shall be void :

Provided that nothing contained in this sub-section shall apply to such director by reason only of his being:—

(i) a shareholder (other than a director) holding not more than two per cent of the paid-up capital in any public company within the meaning of the Companies Act, 1956, or any

corporation established by or under any law for the time being in force in India or any co-operative society, with which the Regional Rural Bank has entered into, or proposes to enter into, any contract, loan, arrangement or proposal; or  
(ii) a director of the Regional Rural Bank as such.

**15.** The Board may constitute such committees whether consisting wholly of directors or wholly of other persons or partly of directors and partly of other persons, as it may think fit for such purposes as it may decide.

Committees of Board.

**16.** Every director and every member of a committee shall be paid such fees and allowances as may be prescribed:

Fees and allowances of directors and members of committees.

Provided that no fees shall be paid to the Chairman or any other director if he is an officer of the Central Government, State Government, the Reserve Bank, Sponsor Bank or any other bank.

**17.** (1) A Regional Rural Bank may appoint such number of officers and other employees as it may consider necessary or desirable for the efficient performance of the functions and may determine the terms and conditions of their appointment and service:

Staff of Regional Rural Banks.

Provided that, during the initial stages, it shall be lawful for a Sponsor Bank, if requested so to do by a Regional Rural Bank sponsored by it, to send such number of officers or other employees on deputation to the Regional Rural Bank as may be necessary or desirable for the efficient performance of its functions :

Provided further that the remuneration of officers and other employees appointed by a Regional Rural Bank shall be such as may be prescribed, and in prescribing such remuneration, the Central Government shall have due regard to the salary structure of the employees of the State Government, and the local authorities of comparable level and status in the notified area.

(2) Notwithstanding anything contained in the Industrial Disputes Act, 1947, or any other law for the time being in force, no ward judgement, decree, decision or order of any industrial tribunal court or other authority, made before the commencement of this Ordinance, shall apply to the terms and conditions determined by a Regional Rural Bank in relation to the persons appointed by it.

(3) The officers and other employees of a Regional Rural Bank shall exercise such powers and perform such duties as may be entrusted or delegated to them by the Board.

## CHAPTER IV

### BUSINESS OF A REGIONAL RURAL BANK

**18.** (1) Every Regional Rural Bank shall carry on and transact the business of banking as defined in clause (b) of section 5 of the Banking Regulation Act, 1949, and may engage in one or more forms of business specified in sub-section (1) of section 6 of that Act.

Business which a Regional Rural Bank may transact.

(2) Without prejudice to the generality of the provisions of sub-section (1), every Regional Rural Bank may, in particular, undertake the

following types of business, namely:—

- (a) the granting of loans and advances, particularly to small and marginal farmers and agricultural labourers, whether individually or in groups, and to co-operative societies, including agricultural marketing societies, agricultural processing societies, co-operative farming societies, primary agricultural credit societies or farmers' service societies, for agricultural purposes or agricultural operations or for other purposes connected therewith;
- (b) the granting of loans and advances, particularly to artisans, small entrepreneurs and persons of small means engaged in trade, commerce or industry or other productive activities, within the notified area in relation to the Regional Rural Bank.

## CHAPTER V

### ACCOUNT AND AUDIT

Closure of accounts.

19. (1) Every Regional Rural Bank shall cause its books to be closed and balanced as on the 31st day of December of each year and shall appoint with the approval of the Central Government auditors for the audit of its accounts.

(2) Every auditor of a Regional Rural Bank shall be a person who is qualified to act as an auditor of a company under section 226 of the Companies Act, 1956, and shall receive such remuneration as the Regional Rural Bank may fix with the approval of the Central Government.

1 of 1956

(3) Every auditor shall be supplied with a copy of the annual balance-sheet and profit and loss account of the Regional Rural Bank, and a list of all books kept by the Regional Rural Bank, and it shall be the duty of the auditor to examine the balance-sheet and vouchers relating thereto, and, in the performance of his duties, the auditor—

- (a) shall have, at all reasonable times, access to the books, accounts and other documents of the Regional Rural Bank;
- (b) may, at the expense of the Regional Rural Bank, employ accountants or other persons to assist him in investigating such accounts; and
- (c) may, in relation to such accounts, examine the Chairman or any officer or employee of the Regional Rural Bank.

(4) Every auditor of a Regional Rural Bank shall make a report to that bank upon the annual balance-sheet and accounts and in every such report shall state,—

- (a) whether, in his opinion, the balance-sheet is a full and fair balance-sheet containing all necessary particulars and is properly drawn up so as to exhibit a true and fair view of the affairs of the Regional Rural Bank, and, in case he had called for any explanation or information, whether it has been given and whether it is satisfactory;
- (b) whether or not, the transactions of the Regional Rural Bank, which have come to his notice, have been within the powers of that bank;
- (c) whether or not, the returns received from the offices and branches of the Regional Rural Bank have been found adequate for the purpose of his audit;

- (d) whether the profit and loss account shows a true balance of profit or loss for the period covered by such accounts; and
- (e) any other matter which he considers should be brought to the notice of the Regional Rural Bank.

**20.** Every Regional Rural Bank shall, within sixty days from the date of closure of its accounting year, send to each of its shareholders a report as to its working and activities during the accounting year immediately preceding together with a copy of its balance-sheet, profit and loss account and the auditor's report in relation to the accounts of the said accounting year.

Annual report to be furnished to the share-holders.

**21.** After making provisions for bad and doubtful debts, depreciation in assets, contributions to staff and superannuation funds and all other matters for which provision is, under law, necessary or which are usually provided for by banking companies, a Regional Rural Bank may, out of its net profits, declare a dividend.

Disposal of profits.

43 of 1961

**22.** For the purpose of the Income-tax Act, 1961 or any other enactment for the time being in force relating to any tax on income, profits or gains, a Regional Rural Bank shall be deemed to be a co-operative society.

Regional Rural Bank to be deemed to be a co-operative society for purpose of the income tax Act, 1961.

45 of 1974

**23.** Notwithstanding anything contained in the Interest-tax Act, 1974 no Regional Rural Bank shall be liable to pay and tax under that Act.

Interest tax not payable.

## CHAPTER VI

### MISCELLANEOUS

**24.** (1) A Regional Rural Bank shall, in the discharge of its functions, be guided by such directions in regard to matters of policy involving public interest as the Central Government may, after consultation with the Reserve Bank, give.

Power of Central Government to give directions.

(2) If any question arises as to whether any such direction relates to a matter of policy involving public interest, the decision of the Central Government thereon shall be final.

**25.** (1) A Regional Rural Bank shall observe, except as otherwise required by law, the practices and usages customary among bankers and, in particular, it shall not divulge any information relating to, or to the affairs of, its constituents except in circumstances in which it is, in accordance with the law or practice and usage customary among bankers, necessary or appropriate for the Regional Rural Bank to divulge.

Obligations as to fidelity and secrecy.

(2) Every director, member of a committee or auditor, officer or other employee of a Regional Rural Bank shall, before entering upon his duties, make a declaration of fidelity and secrecy in the form set out in the Schedule to this Ordinance.

Bar to  
liquidation  
of  
Regional  
Rural  
Bank.

Defects in  
appointment or  
constitution not to  
invalidate  
acts or pro-  
ceedings.

Indemnity  
of direc-  
tors, etc.

Power to  
make regu-  
lations.

Power to  
make  
rules.

**26.** No provisions of law relating to the winding up of companies shall apply to a Regional Rural Bank and a Regional Rural Bank shall not be placed in liquidation save by order of the Central Government and in such manner as it may direct.

**27.** (1) No act of a Chairman, acting in good faith, shall be invalid merely by reason of any defect in his appointment or in the procedure.

(2) No act or proceeding of any Board of directors or of any committee of a Regional Rural Bank shall be invalid merely on the ground of the existence of any vacancy in, or defect in the constitution of, such Board or committee, as the case may be.

(3) Acts done by a person, acting in good faith, as a director or member of a committee of a Regional Rural Bank shall be valid, notwithstanding that it may afterwards be discovered that his appointment was invalid by reason of any defect or disqualification or had terminated by virtue of any provision contained in any law for the time being in force:

Provided that nothing in this section shall be deemed to give validity to any act done by a director or a member of any committee of a Regional Rural Bank after his appointment has been shown to the Regional Rural Bank to be invalid or to have terminated.

**28.** (1) A director or a member of a committee of a Regional Rural Bank shall not be responsible for any loss or expense caused to such bank by insufficiency or deficiency of the value of, or title to, any property or security acquired or taken on behalf of a Regional Rural Bank or by the insolvency or wrongful act of any customer or debtor or anything done in, or in relation to, the execution of the duties of his office, unless such loss, expense, insufficiency or deficiency was due to any wilful act or default on the part of such director or member.

(2) The Chairman of a Regional Rural Bank and every officer of the Central Government or State Government or an officer of the Reserve Bank or the Sponsor Bank and every officer or other employee of a Regional Rural Bank shall be indemnified by such bank against all losses and expenses incurred by him in, or in relation to, the discharge of his duties except such as have been caused by his own wilful act or default.

**29.** The Board of directors of a Regional Rural Bank may, after consultation with the Sponsor Bank and the Reserve Bank, and with the previous sanction of the Central Government, make regulation, not inconsistent with the provisions of this Ordinance and the rules made thereunder, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to the provisions of this Ordinance.

**30.** (1) The Central Government may, after consultation with the Reserve Bank and the Sponsor Bank, by notification in the Official Gazette, make rules for carrying out the provisions of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the time and place at which the Board of directors of a Regional Rural Bank shall meet and the rules of procedure which shall be observed by the Board in regard to the transaction of business at its meetings;
- (b) the fees and allowances which may be paid to every director and every member of a committee constituted by the Board;
- (c) the salary, allowances and terms and conditions of service of the Chairman;
- (d) the remuneration of the officers and other employees of a Regional Rural Bank;
- (e) any other matter which is required to be, or may be, prescribed.

(3) Every rule made by the Central Government under this Ordinance shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification, in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**31.** If any difficulty arises in giving effect to the provisions of this Ordinance, the Central Government may make such order, not inconsistent with the provisions of this Ordinance, as may appear to it to be necessary for the purpose of removing the difficulties:

Removal of difficulties.

Provided that no such order shall be made after the expiry of a period of five years from the commencement of this Ordinance.

**32.** The provisions of this Ordinance shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force or in any contract, express or implied, or in any instrument having effect by virtue of any law other than this Ordinance, and notwithstanding any custom or usage to the contrary.

Ordinance to override the provisions of other laws.

## CHAPTER VII

### AMENDMENT OF CERTAIN ENACTMENTS

2 of 1934

**33.** (1) In the Reserve Bank of India, Act, 1934,—

Amendment of certain enactments.

(a) in section 2,—

(i) after clause (civ), the following clause shall be inserted, namely:—

“(cv) “Regional Rural Bank” means a Regional Rural Bank established under section 3 of the Regional Rural Banks Ordinance, 1975;”;

(ii) after clause (e), the following clause shall be inserted, namely:—

(ea) "Sponsor Bank" means a Sponsor Bank as defined in the Regional Rural Banks Ordinance, 1975;'

(iii) the existing clause (ei) shall be re-lettered as clause (eb);

(b) in section 46A, in sub-section (2), in clause (b),—

(i) after the words "State co-operative banks", the words "or Regional Rural Banks" shall be inserted;

(ii) for the proviso, the following proviso shall be substituted, namely:—

"Provided that such loans and advances are fully guaranteed as to the repayment of principal and payment of interest,—

(i) in the case of loans and advances to State co-operative banks, by the State Government; and

(ii) in the case of loans and advances to a Regional Rural Bank, by the Sponsor Bank.";

(c) in section 46B, in sub-section (2),—

(i) after the words "State co-operative banks" the words "or Regional Rural Banks" shall be inserted;

(ii) after the proviso, the following proviso shall be inserted, namely:—

"Provided further that no such loans or advances shall be made—

(a) except for the purpose of enabling the Regional Rural Banks to pay any dues in respect of bills of exchange and promissory notes purchased or re-discounted by the Bank or loans and advances made to them by the Bank under section 17 and unless, in the opinion of the Bank, the Regional Rural Banks are unable to pay such dues in time owing to drought, famine or other natural calamities, and

(b) unless such loans and advances are fully guaranteed as to re-payment of the principal and payment of interest by the Sponsor Bank.".

(2) In the Industrial Disputes Act, 1947, in section 2, in clause (a) in sub-clause (i), after the words and figures "Food Corporation Act, 1964, or", the words and figures "a Regional Rural Bank established under section 3 of the Regional Rural Banks Ordinance, 1975, or" shall be inserted.

(3) In the Banking Regulation Act, 1949,—

14 of 1947

10 of 1949

(a) in section 24, after sub-section (2A), the following sub-section shall be inserted, namely:—

"(2B) The Reserve Bank may, by notification in the Official Gazette, vary the percentage referred to in sub-section (2A) in respect of a Regional Rural Bank."

- (b) in section 34 A, in sub-section (3), for the words "and any subsidiary bank", the words and figures "a Regional Rural Bank established under section 3 of the Regional Rural Banks Ordinance, 1975, and any subsidiary bank" shall be substituted;
- (c) in section 36AD, in sub-section (3), for the words "and any subsidiary bank", the words and figures "a Regional Rural Bank established under section 3 of the Regional Rural Banks Ordinance, 1975, and any subsidiary bank" shall be substituted;
- (d) in section 51, for the words "or any other banking institution notified by the Central Government in this behalf", the words and figures "or a Regional Rural Bank established under section 3 of the Regional Rural Banks Ordinance, 1975, or any other banking institution notified by the Central Government in this behalf" shall be substituted.

46 of 1949 (4) In the Banking Companies (Legal Practitioners' Clients' Accounts) Act, 1949, in section 2, in clause (a), for the words "and any subsidiary bank", the words and figures "a Regional Rural Bank established under section 3 of the Regional Rural Banks Ordinance, 1975, and any subsidiary bank" shall be substituted.

47 of 1961 (5) In the Deposit Insurance Corporation Act, 1961,—

(a) in section 2,—

(i) in clause (g),—

(a) for the words "or a banking company", the words "a Regional Rural Bank or a banking company" shall be substituted;

(b) for the words "with a banking company", the words "with a Regional Rural Bank or with a banking company" shall be substituted;

(ii) in clause (i), after the words "banking company", the words "or a Regional Rural Bank" shall be inserted;

(iii) after clause (m), the following clause shall be inserted, namely:—

'(ma) "Regional Rural Bank" means a Regional Rural Bank established under section 3 of the Regional Rural Banks Ordinance, 1975;'

(b) after section 11, the following section shall be inserted, namely:—

"11A. The Corporation shall register every Regional Rural Bank before the expiry of thirty days from the date of its establishment.";

(c) in section 13, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) The provisions of clauses (a), (b), (c), (d) and (h) of sub-section (1) shall apply to a Regional Rural Bank as they apply to a banking company.";

(d) in sub-section (1) of section 14, for the words "banking company", wherever they occur, the words "banking company, Regional Rural Bank" shall be substituted.

### THE SCHEDULE

[See section 25 (2)]

I, ..... do hereby declare that I will faithfully, truly and to the best of my skill and ability execute and perform the duties required of me as a director, member of a committee, officer, employee or auditor (as the case may be) of the Regional Rural Bank and which property relate to any office or position in the said Bank held by me.

I further declare that I will not communicate or allow to be communicated to any person not legally entitled thereto any information relating to the affairs of the Regional Rural Bank or to the affairs of any person having any dealings with the Regional Rural Bank, nor will I allow any such person to inspect or have access to, any books or documents belonging to, or in the possession of the Regional Rural Bank and relating to the business of the Regional Rural Bank, or to the business of any person having any dealings with the Regional Rural Bank.

Signature.

Signed before me.

Dated

FAKHRUDDIN ALI AHMED,  
*President.*

K. K. SUNDARAM,  
*Secy. to the Govt. of India.*

### THE MOTOR VEHICLES (AMENDMENT) ORDINANCE, 1975

No. 14 OF 1975

*Promulgated by the President in the Twenty-sixth Year of the Republic of India.*

*An Ordinance further to amend the Motor Vehicles Act, 1939.*

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title  
and commen-  
cement.

1. (1) This Ordinance may be called the Motor Vehicles (Amendment) Ordinance, 1975.

(2) It shall come into force at once.

2. During the period of operation of this Ordinance, the Motor Vehicles Act, 1939 (hereinafter referred to as the Principal Act) shall have effect subject to the amendments specified in this Ordinance.

Act 4 of  
1933 to be  
temporarily  
amended.

3. In section 63 of the Principal Act, after sub-section (10), the following sub-sections shall be inserted, namely:—

Amendment  
of section  
63.

(11) Notwithstanding anything contained in sub-section (1), but subject to the rules that may be made by the Central Government under sub-section (15), the appropriate authority may, for the purpose of encouraging long distance inter-State road transport, grant to the public carriers in a State such number of national permits as the Central Government may specify in this behalf in relation to that State and the provisions of sections 54, 55, 56, 57, 58, 59, 59A, 60, 61 and 64 shall, as far as may be, apply to or in relation to the grant of national permits:—

Provided that the number of national permits specified for a State shall not be varied or modified except after consultation with the concerned State Government.

*Explanation.—*In this section—

(a) “national permit” means a permit granted by the appropriate authority to a public carrier authorising him to operate as a public carrier throughout the territory of India or in such contiguous States, not being less than five in number (including the State in which the permit is issued), as may be specified in such permit in accordance with the choice indicated by the public carrier to whom such permit is granted;

(b) “appropriate authority” in relation to a national permit means the authority which is authorised by this Act to grant a public carrier’s permit.

(12) Without prejudice to the provisions of sub-section (1) of section 55, the appropriate authority shall in considering an application for a national permit, also have regard to the following matters, namely:—

(a) no national permit shall be issued—

(i) to an individual owner if he already holds in his own name three or more valid national permits, or, when he holds valid national permits as well as valid inter-State region permits, if the aggregate number of such permits is three or more;

(ii) to a company which already holds in its own name seven or more valid national permits, or, when it holds valid national permits as well as valid inter-State region permits, if the aggregate number of such permits is seven or more:

(b) other conditions being equal, preference shall be given to applicants who are ex-army personnel, or who have valid licences for driving transport vehicles.

*Explanation.—*In this sub-section “company” includes a body corporate,

(13) If, as a result of the acquisition of one or more inter-State region permits by an individual owner or a company after one or more national permits have been granted to him or it, the aggregate number of the permits held by such individual or company exceeds, in the case of the individual, three, or, in the case of a company, seven, the appropriate authority shall, notwithstanding anything contained in section 60, cancel such number of national permits as would bring down the aggregate number of national permit and inter-State region permit held by such individual, to three, or, in the case of a company, to seven:

Provided that before cancelling any national permit, the appropriate authority shall give to the individual owner or the company, as the case may be, an option to indicate which of the national permits held by him or it should be so cancelled.

(14) Nothing contained in sub-section (12) and (13) shall apply to a State Transport Undertaking.

(15) (1) The Central Government may make rule or carrying out the provisions of sub-section (11).

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (i) the authorisation fee payable for the issue of a notional permit;
- (ii) the fixation of the laden weight of the motor vehicle;
- (iii) the distinguishing particulars or marks to be carried or exhibited in or on the motor vehicle;
- (iv) the colour or colours in which the motor vehicle is to be painted;
- (v) any matter, not specified in this Act, which shall be borne in mind by the appropriate authority in granting a national permit.

*Explanation.*—In this sub-section ‘authorisation fee’ means the annual fee, not exceeding seven hundred rupees, which may be charged by the appropriate authority of a State to enable a motor vehicle, covered by the national permit, to be used in other States.”.

Amendment  
of section  
133.

4. In section 133 of the principal Act,—

(a) in sub-section (3), the words “by the Central Government or,”, “Parliament or”, in both the places where they occur, and the words “as the case may be” shall be omitted;

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification

in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

FAKHRUDDIN ALI AHMED,  
*President.*

K. K. SUNDARAM,  
*Secy. to the Govt. of India.*

## FISHERIES DEPARTMENT

### NOTIFICATION

*Simla, the 2nd December, 1975*

No. FSH.A(3)-3/74.—In exercise of the powers conferred by section 6 of the Indian Fisheries Act, 1897 (Act No. IV of 1897) and section 3 of the Punjab Fisheries Act, 1914 (Act No. II of 1914) as applied to the State of Himachal Pradesh, the Governor, Himachal Pradesh, is pleased to propose the following rules for the regulation of fishing in Pong Dam Reservoir. The draft rules are hereby published for the information of persons likely to be affected thereby. Objections or suggestions, if any, should be addressed to the Director of Fisheries, Himachal Pradesh, Sanjauli, Simla-171006, within 15 days from the date of publication of this notification in Himachal Pradesh Rajpatra, after which the draft rules along with objections or suggestions, if any, shall be taken into consideration.

### RULES

1. (1) These rules may be called Commercial Exploitation of Fish in the Pong Dam Reservoir Rules, 1975.

Short title,  
extent and  
commencement.

(2) These rules shall come into force with effect from the date of publication in the H.P. Rajpatra.

(3) These rules shall apply to Pong Dam Reservoir situated in Himachal Pradesh.

Definitions.

2. In these rules, unless the context otherwise requires,—

- (a) “Auctioning Authority” means the Director of Fisheries, Himachal Pradesh.
- (b) “Beat” means area demarcated for fishing under rule 5 of these rules.
- (c) “Close Season” means the period from 1st June to 10th August.
- (d) “Director” means the Director of Fisheries, Himachal Pradesh.
- (e) “Department” means the Department of Fisheries, Himachal Pradesh.
- (f) “Fishing year” means the year commencing from 1st July to 30th June.

- (g) "Form" means the forms appended to these rules.
- (h) "Government" means the Government of Himachal Pradesh.
- (i) "Highest Bidder" means the person/persons who offers/offer the highest rates for purchase or lifting of fish at the landing centres caught by the Fishermen Co-operative Societies.
- (j) "Landing Centre" means the place fixed by the Director of Fisheries where all fish caught from the reservoir by the societies shall be assembled.
- (k) "Licence" means the licence issued for sport fishing in the Reservoir.
- (l) "Net" means Gill Net for fishing in reservoir.
- (m) "Permit" means the permit issued under these rules.
- (n) "Permit Issuing Authority" means the officer empowered by the Director of Fisheries in writing to issue permit/license under these rules.
- (o) "Permit Holder" means a person in whose favour permit issued under these rules.
- (p) "Reservoir" means impoundment formed by Pong Dam upto a level of R.L. 1410 in Kangra district of Himachal Pradesh.
- (q) "Societies" means the Co-operative Societies of Fishermen registered under the Himachal Pradesh Co-operative Societies Act, 1968.

Licence/  
Permits and  
Fee.

3. (a) The fishing in the reservoir shall be allowed only to societies for commercial exploitation under a permit in Form 'A' on conditions prescribed thereon and to a person for sport by rod and line under a licence in Form B on conditions prescribed thereon.

(b) Fee in case of societies shall be equal to 25% of the floor price on per k.g. body weight of fish to be fixed by the Government:

Provided that in case the rate quoted by the highest bidder is higher than the floor price fixed by the department, the profits accruing therefrom shall be shared by the Societies and the Department in the ratio of 50:50.

(c) The fee for the sport licence shall be as under:—

(i) For a week	.. Rs. 10.
(ii) For a day	.. Rs. 2.

Nothing in this rule shall prevent the catching of fish at any time by the employees of the department under the authority of the Director. The permit and licence will be granted by the Director or by any other officer authorised for this purpose by him.

Auction of  
purchase or  
lift right of  
fish.

4. On or after the 1st day of July each year, the Auctioning Authority shall put to public auction the right of purchase or lifting of fish caught by the societies from the reservoir and brought to the landing centres.

Demarca-  
tion of  
beats.

5. Reservoir shall be divided into eight beats as follows:—

*Beat No. 1.—From the inception of the Dam at Gamroor to village Bari-Khanpur on the left bank and village Chalwara on the right bank.*

**Beat No. 2.**—From village Bari-Khanpur on the left bank and village Chalwara on the right bank to village Rail on the left bank and village Harsar on the right bank.

**Beat No. 3.**—From village Rail on the left bank and village Harsar on the right bank to village Ogharahla on the left bank and village Jarot on the right bank.

**Beat No. 4.**—From village Ogharahla on the left bank and village Jarot on the right bank to village Rorikori on the left bank and village Nandpur Bangoli on the right bank.

**Beat No. 5.**—From village Rorikori on the left bank and village Nandpur Bangoli on the right bank to village Jambal on the left bank and village Kohlibalta and Kheryan on the right bank.

**Beat No. 6.**—From village Jambal on the left bank and villages Kohlibalta-Kheryan on the right bank to village Bassi on the left bank and village Bari on the right bank.

**Beat No. 7.**—From village Bassi on the left bank and village Bari on the right bank to Dehra bridge on both banks.

**Beat No. 8.**—From Dehra bridge on both banks to Chamba Pattan both banks.

6. The demarcation of beats shall be exhibited by constructing boundary pillars along R.L. 1410 showing number and extent of each beat.

Exhibition of demarcation.

7. The Director shall determine in the beginning of each fishing year the number of Gill Nets for fishing to be operated in each beat.

Number of Gill Nets.

8. The Director may by notification prohibit any permit holder from fishing in any beat or beats either for the purpose of experimental fishing by the department or if it is found necessary in the interest of conservation of fisheries.

Prohibition of fishing.

9. The officer authorised to issue the fishing permits shall define on the permit the beat in which and the period for which the holder of the permit is permitted to fish in each beat. An Identity Card will also be issued to each society in Form 'C'.

Issue of permits.

10. The permit shall be issued for the fishing year.

11. All fishing except Rod and Line shall remain closed during the closed season.

12. When the permit granted under these rules is lost, mutilated or destroyed accidentally the authority competent to grant such a permit shall issue duplicate copy of the original permit.

13. The permit issued under these rules shall be non-transferable.

14. The use of poison, dynamite or other noxious or explosive substances with intent thereby to catch or kill fish is strictly prohibited.

15. All apparatus erected or used for fishing in contravention of these rules may be seized and taken to the nearest Police Station by any person empowered under section 7 of the Indian Fisheries Act, 1897 or section 6

of the Punjab Fisheries Act, 1914 as applied to the State of Himachal Pradesh to arrest without warrant for offences under the said Acts and all such apparatus may be forfeited on conviction of the offenders under section 4 or 5 of the Punjab Fisheries Act, II of 1914 as applied to Himachal Pradesh.

**Disposal of seized fish.**

**16.** The seized fish which is subject to speedy natural decay may be sold by the Fisheries Officer and the proceeds thereof dealt with in accordance with the procedure laid down for all receipts under "Fisheries" subject to any order by the Court.

**Cancellation of permit.**

**17.** The Director or any other officer authorised by him may cancel the permit of any of its holder for the breach of any of these rules or committing any offence under any section of the Indian Fisheries Act, 1897 or Punjab Fisheries Act, 1914 as applied to the State of Himachal Pradesh.

If it is found that the work of extraction is not being done to the satisfaction of the department or if the societies do not abide by all or any of terms and conditions of the permit the Director or any other officer empowered by him shall, after giving 10 days notice, have the right to cancel the contract and forfeit the deposits to the Government. In such cases the fishing right for the remaining period of the year shall be disposed of to any other society on the terms and conditions worked by the department.

**Security.**

**18.** The society to whom the fish extraction work is entrusted shall deposit a security amount of Rs. 500/- (Rupees five hundred) only in the nearest treasury, sub-treasury, in favour of the director.

**Advance payment of fee**

**19.** Before starting the extraction work the society shall deposit in advance the amount of fee worked out by the director on the basis of the estimated catch in the day or week in the nearest treasury or sub-treasury under the head to which all fisheries receipts are credited and shall submit copies of the treasury challan to the departmental officer at the landing centre.

**20.** Extraction of fish shall be allowed only to the extent of the value of the advance of fee deposited. No extraction shall be permitted in case of failure to deposit the advance.

**Release of fish below the standard.**

**21.** The extracted fish which will be below the prescribed specifications of size shall be released back to the waters.

**Sale of fish to Govt.**

**22.** If so required by the director, the society shall be bound to sell a minimum of 10% of the daily catch of fish for local consumption in Himachal Pradesh at the floor rates fixed by the department per kg. of fish.

**Realization of arrears.**

**23.** All arrears of Government dues against the society shall be recoverable as land revenue with penal interest at the rate of Rs. 9% per annum.

**Maintenance of record.**

**24.** The permit holder shall maintain record on the prescribed pro forma in Forms 'D' to 'G' in respect of number, weight and species of fish caught, sold and the craft and gear employed for catching of fish.

**FORM 'A'**

[See rule 3 (a)]

**GOVERNMENT OF HIMACHAL PRADESH  
FISHERIES DEPARTMENT**

Book No. Counterfoil Form No.

**FISHING PERMIT FOR PONG DAM RESERVOIR**

No. of permit

Date of issue

Name and address of the co-operative society

Period for which issued

Date of payment of security

Water for which issued

(i)

(ii)

(iii)

Amount of security paid Rs.

Permission is hereby granted to the above-named permit-holder to fish in the waters specified above from the date of issue of permit subject to the conditions laid down on the reverse of this form

Date

Signature and stamp of  
Permit Issuing Authority.

**FORM 'A'**

[See rule 3 (a)]

**GOVERNMENT OF HIMACHAL PRADESH  
FISHERIES DEPARTMENT**

Book No.

**FISHING PERMIT FOR PONG DAM RESERVOIR**

No. of permit

Date of issue

Name and address of the co-operative society

Period for which issued

Date of payment of security

Water for which issued

(i)

(ii)

(iii)

Amount of security paid Rs.

Permission is hereby granted to the above-named permit-holder to fish in the waters specified above from the date of issue of permit subject to the conditions laid down on the reverse of this form.

Date

Signature and stamp of  
Permit Issuing Authority.

## CONDITIONS UNDER WHICH THE PERMIT IS ISSUED

1. The permit holder shall fish with Gill Net with a minimum mesh bar of 50 mm having a maximum length of 60 metres and breadth of 3 metres.
2. The permit-holder shall not catch, kill or sell any fish of the following species less than the size shown against each:— Mahaseer (Tor Pitutera) 30 cms., Gungli or Salho (Sohizthorax plagiostomus) 23<sup>1</sup>/<sub>2</sub> cms., Gid (Labeo dero) 25 cms. Mirror Carp and ollied varieties (Cyprinus carpio) 30 cms., Thiela (Catla catla) 30 cms., Meor (Cirrhina/mrigala) 30 cms., Rohu (Labeo rehita) 30 cms., Singhari (Mystus seenghala) 30 cms.
3. Erection of dams or weirs, diversion of water, use of fixed engine explosive substances, poison, lime or other noxious materials for fishing by licensees are strictly prohibited.
4. This licence must be produced on demand by any person authorised to demand it.
5. The licensee is bound to report breaches of the rules which came to his notice to the Deputy Commissioner, Tehsildar or any other officer of the Fisheries Department.
6. Fishing is not permitted in any water closed to fishing by any rule notified under section 6 of the Indian Fisheries Act, 1897.
7. No licence is transferable.
8. The permit-holder shall not be entitled to claim any damages or compensation from the Government for any loss that may be suffered by him due to floods, pollution, silting, poor inflow and slump in prices, litigation or any other cause whatsoever.
9. The permit-holder shall not be entitled to claim any damages for the loss which may occur to him in the event of any action taken against him by any official/officer of the Fisheries Department for breach of any provision of these rules or of any term of this permit.
10. The director or any officer or official of the Fisheries Department may enter any premises used by the permit-holders for assembling or storage or sale of fish for the purpose of inspection of the record or fish.

FORM 'B'

[See rule 3(b)]

GOVERNMENT OF HIMACHAL PRADESH  
FISHERIES DEPARTMENT

Book No.

Counterfoil

**ROD AND LINE FISHING LICENCE FORM (PONG DAM)**

No. of licence.....

Date of issue.....

Name and address of the licensee.....

Period for which issued.....

Date of payment of fee.....

Water for which issued.....

(i)

(ii)

(iii)

Fee paid Rs.....

Permission is hereby granted to the above named licensee to fish in waters specified above from date of issue of this licence subject to the condition laid down in the rules published with H.P. Govt. notification No.....  
Dated.....

Date.....

Signature & Stamp of  
Permit Issuing Authority.

FORM 'B'

[See rule 3(b)]

GOVERNMENT OF HIMACHAL PRADESH  
FISHERIES DEPARTMENT

Book No.

**ROD AND LINE FISHING LICENCE FORM (PONG  
DAM)**

No. of licence.....

Date of issue.....

Name and address of licensee.....

Period for which issued.....

Date of payment of fee.....

Water for which issued.....

(i)

(ii)

(iii)

Fee paid Rs.....

Permission is hereby granted to the above named licensee to fish in waters specified above from date of issue of this licence subject to the condition laid down in the rules published with H.P. Govt. notification No..... Dated.....

Date..... Signature & Stamp of the  
Permit Issuing Authority.

## CONDITIONS UNDER WHICH THE LICENCE IS ISSUED

1. The licensee shall fish only with Rod and Line by using natural as well as artificial baits.
2. The licensee shall not catch, kill or sell any fish of the following species less than the size shown against each:—Mahseer (*Tor putitera*) 30 cms., Gungli or Salho (*Schizothorax plagiostomus*) 23 cms., Gid (*Labio dero*) 25 cms., Mirror Carp and allied varieties (*Cyprinus carpio*) 30 cms., Thiels (*Catla catla*) 30 cms., Meor (*Cirrhina/mrigala*) 30 cms., Rohu (*Labeo rehita*) 30 cms., Singhari (*Mystus seenghala*) 30 cms.
3. Erection of dams or weirs, diversion of water, use of fixed engine explosive substances, poison, lime or other noxious materials for fishing by licensees are strictly prohibited.
4. This licence must be produced on demand by any person authorised to demand it.
5. The licensee is bound to report breaches of the rules which came to his notice to the Deputy Commissioner, Tehsildar or any other Officer of the Fisheries Department.
6. Fishing is not permitted in any water closed to fishing by any rule notified under section 6 of the Indian Fisheries Act, 1897.
7. No licence is transferable.

### FORM 'C'

(See rule 8)

### GOVERNMENT OF HIMACHAL PRADESH FISHERIES DEPARTMENT

#### IDENTITY CARD

Book No..... Card No.....

Name of the Fish Landing Centre.....

Name of Fisherman..... son of.....

resident of.....

Membership No..... and name of Co-operative Society.....

is hereby permitted to fish w.e.f..... to.....  
at the fishing ground.....

**N.B.—**If the fisherman desires to change the fishing ground he will have to obtain the written permission of the centre incharge two days in advance.

Signature.....  
Incharge Landing Centre.  
Designation.....

**FORM 'D'****PASS BOOK**

Book No..... Identity Card No.....

1. Name of the Fisherman.....
2. Father's name.....
3. Membership No.....
4. Name of the Co-operative Society.....

S. No.	Date	Grade of fish	Weight of fish	No. of fish	Signature of Incharge Mother Vessel	Remarks, if any
1	2	3	4	5	6	7

**FORM 'E'****GOVERNMENT OF HIMACHAL PRADESH  
FISHERIES DEPARTMENT****FISH WEIGHMENT REGISTER**

Date.....

Name of Fish Landing Centre.....

Name of Fishermen's Co-operative Society.....

No. of members.....

Equipment used..... Craft/  
Tackle/Type No.

Equipment used..... Type/No.

Sl. No.	Weight of fish	Details of fish caught				Fee Amount	Remarks
		Species	No.	Size	Average weight		
1	2	3	4	5	6	7	8

Signature of Fishing  
Weighing Employee.Signature of the  
Person Receiving the  
Fish.Signature of Incharge  
Landing Centre.  
Designation.....

## FORM 'F'

GOVERNMENT OF HIMACHAL PRADESH  
FISHERIES DEPARTMENT

## FEE ADJUSTMENT BILL

Book No..... Bill No.....

Name of the Fish Landing Centre.....

Dated..... Name of Fishing Co-operative Society.....

## Details of fish caught

	Major Carp.	Local major	Local minor	Total
Weight	..			
Rate of Fee	..			
Amount of Fee	..			
Balance of Fee	..			
Fee deposited today	..			

Challan No..... Date..... vide which fee is deposited  
into Treasury.

Total amount of fee in balance..

Today's fee adjustment..

Balance fee after day's adjustment..

Signature of the  
contractor or his  
representative.Signature of  
President of  
society or his  
representative.Signature of  
employees who  
weighed the  
fish.Signature of  
Incharge Centre  
with designation.

FORM 'G'

GOVERNMENT OF HIMACHAL PRADESH  
FISHERIES DEPARTMENT

TRANSFER CERTIFICATE

Book No..... Certificate No.....

With reference to Fee Adjustment Bill No.....

Date..... Shri....., resident of.....

..... is hereby permitted to transfer.....

(weight of fish)..... from.....

to..... via..... The details of fish is given below:—

Local major	Total No.	Total weight
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Others	Total No.	Total weight
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Total No. of fishes	Total weight
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Signature.....

Incharge Fish Land  
Centre Designation.....

S. M. VERMA,  
Under Secretary.

कार्यालय ज़िलाधीश, मण्डी मण्डी (हि०प्र०)

(निर्वाचित शाखा)

अधिसूचना

दिनांक, मण्डी, 1 दिसम्बर, 1975

संख्या ५६-मण्डी (इलेक) ५६/७४—हिमाचल प्रदेश पंचायत समिति निर्वाचित नियम, 1973 के नियम ५४ के अन्तर्गत जो शक्तियां मुझे प्राप्त हैं, के प्रयोग में, मैं, सी०डी० पारशीरा, ज़िलाधीश, मण्डी, ज़िला मण्डी (हि०प्र०) एवं द्वारा पंचायत समिति सराज से निर्वाचित अध्यक्ष (चेयरमैन) व उप-अध्यक्ष (वायस-चेयरमैन) के नाम जनसाधारण के सूचनार्थ निम्न सारिणी में अधिसूचित करता हूँ:—

सारिणी

निर्वाचित अध्यक्ष (चेयरमैन)  
का नाम व पता

1

निर्वाचित उप-अध्यक्ष (वायस-चेयरमैन)  
का नाम व पता

2

श्री हेमदास सुपुत्र श्री सहजराम,  
गांव खोलानाल, डॉ हनीगी।

श्री धर्मचन्द, गांव बलयान्डा, डॉ थनाग।

सी०डी० पारशीरा,  
ज़िलाधीश, मण्डी, ज़िला मण्डी।

कार्यालय ज़िलाधीश, किन्नौर मण्डल, हिमाचल प्रदेश

### अधिसूचना

दिनांक, कल्पा-172108, 29 नवम्बर, 1975

नम्बर 6-किन्नौर (इलैक) -1/74.—जैसा कि इस कार्यालय की अधिसूचना नं 0 6-किन्नौर (इलैक) -1/74 दिनांक 10 नवम्बर, 1975 के अनुसार ज़िला किन्नौर की नीचे दी गई सारणी में दर्ज न्याय पंचायतों के निर्वाचित करवाये जाकर, निर्वाचित न्याय पंचों के नामों की घोषणा प्राधिकृत अधिकारियों द्वारा की जा चुकी है।

अतः ग्रब में, गुरुन्द्र मोहन कटवाल, ज़िलाधीश, किन्नौर, हिमाचल प्रदेश न्याय पंचायत (निर्वाचन) नियम, 1973 के नियम 26 के अधीन एतद्वारा इन न्याय पंचायतों के निर्वाचित न्याय पंचों के नामों को जनसाधारण की सूचना के लिये अधिसूचित करता हूँ :—

### सारणी

नाम	ब्लाक (खण्ड)	न्याय पंचायत का नम्बर तथा नाम	निर्वाचित न्याय पंचों के नाम	पता
1	2	3	4	

### सब-तहसील : हंगरंग (मालिंग दोगरी)

पूह	1. चांगो	1. श्री रिगजिन छोपेल पुत्र सनमतन्डुब । 2. श्री जय चन्द्र पुत्र रिगजिन छोपेल । 3. श्री कमला नन्द पुत्र सोनम यान्डा । 4. श्री गाटुक पुत्र तानजिन । 5. श्री दोरजे मुरब पुत्र टाशी मुरब । 6. श्री उरगेन दोर्जे पुत्र दौन्डुबा । 7. श्री रिगजिन्दा पुत्र टाशी छेतन ।	गांव तथा डाक-घर चांगो । यथोपरि यथोपरि गांव श्यालखर, डाकघर चांगो । यथोपरि गांव सुमरा, डाक-घर चांगो । गांव तथा डाकघर चांगो ।
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2. लियो	1. श्री ज्ञालछन पुत्र फुर्बू । 2. श्री धर्म देव पुत्र धन्डुप । 3. श्री छेतर सिंह पुत्र हुरमदेवा । 4. श्री छोड़ा राम पुत्र रिंगजिन । 5. श्री पन्दमा डरूप पुत्र सनम छोके । 6. श्री प्रताप सिंह पुत्र किमेत । 7. श्री छोपेल राय पुत्र रिंगजिन ।	गांव तथा डाकघर लियो । यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि
3. हांगो	1. श्री बहादुर चन्द पुत्र डन्डूब दर्जे 2. श्री चेतराम पुत्र तनजिन । 3. श्री प्रताप सिंह पुत्र शरब । 4. श्री चवसिंह पुत्र मेडूब 5. श्री राम सिंह पुत्र रिंगजिन । 6. श्री धर्म चन्द पुत्र विसमपुर । 7. श्री नरडुबराम पुत्र सन्डुव ।	गांव हांगो, डाक- घर लियो । यथोपरि गांव चूलिंग डाक- घर लियो । यथोपरि गांव हांगो, डाक- घर लियो । गांव चूलिंग, डाक- घर लियो । गांव हांगो, डाक- घर लियो ।
4. नाको	1. श्री धर्म सिंह पुत्र नूरबू दरजे । 2. श्री करज्जूत छोड़ा पुत्र छोपेल मडुब । 3. श्री नारायण सिंह पुत्र छोकडुब । 4. श्री तनजिन अंगज्जल पुत्र मैडुल दोरजे ।	गांव तथा डाकघर नाको । यथोपरि यथोपरि यथोपरि

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5. श्री छोड़ा पुत्र टाशी यथोपरि  
छेरिंग ।

6. श्री लक्ष्मी चन्द पुत्र गांव तथा डाकघर  
शनग ज्ञालछन । मालिंग ।

7. श्री लोकजंग पुत्र यथोपरि  
नरफेल ।

तहसील : पूर्व

5. नमज्जा

1. श्री ठाकुर सिंह पुत्र गांव खावो, डाक-  
पोनछेरिंग । घर मनज्जा ।

2. श्री नीमा छेरिंग पुत्र यथोपरि  
टाशीलाकपा ।

3. श्री रंगरिंग नालजोर गांव टाशीगंग,  
पुत्र छोपेल । डाकघर नमज्जा ।

4. श्री जंगबोराम पुत्र गांव तथा डाक-  
छोकडुप । घर नमज्जा ।

5. श्री शरब ज्ञालो पुत्र यथोपरि  
छेरिंग ।

6. श्री श्याम सुख पुत्र यथोपरि  
थाचुंग छेरिंग ।

7. श्री गुर्णीमा पुत्र यथोपरि  
सनम फुरवू ।

7. जाबुंग

1. श्री गोबिन्द सिंह पुत्र गांव शियासो, डाक-  
भगत राम । घर शियासो ।

2. श्री रतन चन्द पुत्र गांव तथा डाकघर  
तवज्जा राम सुन्नम ।

3. हिरपुर नमज्जल यथोपरि

4. श्री चण्डी छेतन पुत्र गांव रुशकुलंग,  
उत्तम चन्द डाकघर ज्ञाबुंग ।

5. श्री छेतन इन्डुब पुत्र ग्राम तथा डाकघर  
रणजोर ज्ञाबुंग ।

6. श्री जीतासुख पुत्र यथोपरि  
नरफैल

7. श्री ज्ञालोराम पुत्र गांव रोपा, डाकघर  
जबलजोर ज्ञाबुंग ।

8. कानम

1. श्री राजेन्द्र सिंह पुत्र गांव लाबरंग,  
भगत सैन । डाकघर सपीलो

1	2	3	4
		2. श्री यंगतन नरगू पुत्र वंगदन- सुख ।	गांव लाबरंग, डाकघर सपीलो ।
		3. श्री उदमजोर पुत्र समतन	ग्राम तथा डाकघर सपीलो ।
		4. श्री शरब होजर पुत्र गंवगजडबो	गांव करला, डाकघर सपीलो ।
		5. श्री वडू छेरिंग पुत्र सनम लजोर	गांव कानम, डाकघर सपीलो
		6. श्री यनडक छेरिंग पुत्र छोम्बेलराम	यथोपरि
		7. श्री फुनचोख छेरिंग पुत्र तोबजा ।	यथोपरि
		तहसील मूरंग	
9. लिप्पा		1. श्री अमरचन्द पुत्र ज्ञालडुव	गांव तथा डाकघर तिप्पा
		2. श्री समतनवीर पुत्र समुदास	यथोपरि
		3. श्री दवा डन्डुव पुत्र रामछेरिंग	यथोपरि
		4. श्री सनम गलदन पुत्र उमासरण	यथोपरि
		5. श्री दिलसुख राम पुत्र अंगरे सुख	यथोपरि
		6. श्री निहाल चन्द पुत्र अमीरसुख	यथोपरि
		7. श्री जय पाल सिंह पुत्र छेरिंग	यथोपरि
10. आसरंग		1. श्री तमरिल छेविड़ पुत्र श्रीजाराम ।	गांव तथा डाकघर आसरंग
		2. श्री पदम सिंह पुत्र छेडुप नमज्जल	यथोपरि
		3. श्री शामसुन्दर पुत्र सदापुर	यथोपरि
		4. श्री कृष्णचन्द पुत्र कोनचो छेतन	यथोपरि
		5. श्री जंग बहादुर सिंह पुत्र छैरिंग मेडुप ।	यथोपरि
		6. श्री टाशी छेतन पुत्र लन्डुब	यथोपरि
		7. श्री नरला जंगबो पुत्री छैरिंग- जोर ।	यथोपरि
11. जंगी		1. श्री पदमसैन पुत्र सदावर	गांव तथा डाकघर जंगी
		2. श्री छेवड दर्जे पुत्र इन्द्र दास	यथोपरि
		3. श्री धर्म सैन पुत्र नरसुख	यथोपरि

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		4. श्री कुन्थुब छैरिंग पुत्र भागपुर 5. श्री पलदन दर्जे पुत्र नरसा 6. श्री सनम लाल पुत्र पलदन 7. श्रीमती दुग्जुर पती पत्नी सुख लाल ।	गांव तथा डाकघर जंगी । यथोपरि यथोपरि यथोपरि
12. रारंग		1. श्री भगवान सिंह पुत्र उदम सैन 2. श्री इन्द्र दास पुत्र रमसा	गांव तथा डाकघर अकपा । गांव तथा डाकघर रारंग ।
13. नेसंग		3. श्री शरब होजर पुत्र रामलाल 4. श्री गंगा दर्जे पुत्र रिंगजिन दर्जे 5. श्री टाशीज्ञालछन पुत्र हिरा भगत । 6. श्री नन्द लाल पुत्र डन्डुब 7. श्री अमीर सिंह पुत्र रिंगचेन- जासछन ।	यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि
14. मूरंग		1. श्री ज्ञान सिंह पुत्र मोती 2. श्री इन्द्र कुमार पुत्र अमीर चन्द 3. श्री नरेन्द्र कुमार पुत्र तनजिन दर्जे 4. श्री छेतन नरगु पुत्र बांगचुक 5. श्री सनम देवा पुत्र पूरन डुप 6. श्री देवी चन्द पुत्र छोदर 7. श्री तनजिन छोपल पुत्र छोडुब	गांव तथा डाकघर नेसंग । यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि
15. ठंगी		1. श्री कृष्ण भक्त पुत्र पूर्ण भक्त 2. श्री रघु नन्द पुत्र सोनम दरजे 3. श्री सुरजन सिंह पुत्र जयचन्द 4. श्री सोहन लाल पुत्र सुनापूर 5. श्री गीता सैन पुत्र सोनम तनवा 6. श्री ज्ञान सिंह पुत्र फतेराम 7. श्री श्याम नरगु पुत्र कपिलदेव	गांव तथा डाकघर मूरंग । यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि
		1. श्री गौतम भगत पुत्र धर्मपुर ।	गांव तथा डाकघर ठंगी ।

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2.	श्री गांबंग समतान पुत्र सनम-बांगदू ।	गांव तथा डाकघर ठंगी ।
3.	श्री सोनाम शारब पुत्र तवदन-छेरिंग ।	यथोपरि
4.	श्री उगरसैन पुत्र चन्द्र- पुर ।	यथोपरि
5.	श्री हरिभगत पुत्र मायादत्त ।	यथोपरि
6.	श्री प्रेमनाथ पुत्र देवी- जोर ।	यथोपरि
7.	श्रीमती तानजिन वांगमो पत्नी शारब- चन्द ।	यथोपरि

16. चारंग

1.	श्री जंगबो राम पुत्र दावा छेरिंग ।	गांव चारंग डाक- घर कुनू ।
2.	श्री गोपीराम पुत्र देहिन दोर्जे ।	यथोपरि
3.	श्री तनजिन दोर्जे पुत्र नारनजोर ।	गांव तथा डाकघर कुनू ।
4.	श्रीमती डोलमा- यंगजम पत्नी तान- जिन जंगमो ।	गांव चारंग, डाक- घर कुनू ।
5.	श्री बद्रीलाल पुत्र सनम मेडुब ।	यथोपरि
6.	श्री विशम लाल पुत्र गांवंग तानजिन ।	गांव तना डाकघर कुनू ।
7.	श्री विद्या चन्द पुत्र कर्मसुख ।	गांव चारंग डाक- घर कुनू ।

17. रिस्पा

1.	श्री चेतराम पुत्र गांवंग- दर्जे ।	गांव तथा डाकघर रिस्पा ।
2.	श्री दज नरगु पुत्र इन्द्र- राम ।	यथोपरि
3.	श्री राम दयाल पुत्र माया राम ।	गांव स्कीवा, डाक- घर रिस्पा ।
4.	श्री देवी लाल पुत्र उमा सरण ।	यथोपरि

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5. श्री प्रह्लादभगत पुत्र  
छेतनदर्जे । गांव तथा डाकघर  
रिस्पा ।

6. श्री नोरपत पुत्र छोपेल यथोपरि

7. श्री सोनम देवा पुत्र यथोपरि  
सनमज्जाल ।

## 18. रिब्बा

1. श्री सरदार सिंह पुत्र यथोपरि  
देवाचन्द ।

2. श्री योधा सिंह पुत्र यथोपरि  
मेघवर सिंह ।

3. श्री भागजत पुत्र यथोपरि  
धर्मसुख ।

4. श्री तंजुगराम पुत्र यथोपरि  
अगरदास ।

5. श्री धर्मजोर पुत्र यथोपरि  
नोरजिकराम ।

6. श्री दौलत राम पुत्र यथोपरि  
रामजीत ।

7. श्री सांइस डंडुब पुत्र यथोपरि  
मला छेरिंग ।

## तहसील : कल्पा

## कल्पा

## 19. पांगी

1. श्री अमीर इन्द्र नेगी गांव तथा डाकघर  
पुत्र संगकयब राम । पांगी ।

2. श्री कुशक पाल पुत्र यथोपरि  
नैनसिंह ।

3. श्री रघुलाल पुत्र यथोपरि  
तोबदान ।

4. श्री रतन चन्द पुत्र यथोपरि  
चन्द्रवीर ।

5. श्री नरसा राम पुत्र यथोपरि  
इन्द्र सिंह ।

6. श्री ज्ञालसुख पुत्र यथोपरि  
छोदारसुख ।

7. श्री सनम छेवंग पुत्र यथोपरि  
रतनदास ।

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21. कोठी	1. श्री गौतम सिंह पुत्र पावछेरिंग । 2. श्री गंगा विश्व पुत्र सरन दास । 3. श्री इन्द्रलाल पुत्र बालजीत । 4. श्री धर्मनन्द पुत्र हीरा चन्द । 5. श्री वस्ती राम पुत्र जीउ चन्द । 6. श्री दौलतजीत पुत्र रत्नचन्द । 7. श्री भगवान सिंह पुत्र कृष्ण भगत ।	गांव तथा डाकघर कोठी । यथोपरि गांव तेलंगी, डाक-घर कोठी । गांव खवांगी, डाक-घर कोठी । गांव ब्रेलंगी, डाक-घर कोठी । गांव दूनी, डाक-घर कलपा । गांव तेलंगी, डाक-घर कोठी ।	
22. पवारी	1. श्री प्रहलादभगत पुत्र रत्न सैन । 2. श्री समरैल सिंह पुत्र हरसिंह । 3. श्री कृष्ण गोपाल पुत्र मनसा राम । 4. श्री जीतभाग पुत्र बालासुखा । 5. श्री राजेन्द्र सिंह पुत्र हीरा सैन । 6. श्री प्रेम प्रकाश पुत्र द्वावा छेरिंग । 7. श्री मालजीऊ पुत्र जरफाल ।	गांव पवारी, डाक-घर शौंगठंग । यथोपरि यथोपरि । गांव तथा डाकघर पुरबनी यथोपरि यथोपरि	
23. बारंग	1. श्री हरमन सिंह पुत्र रामदयाल । 2. श्री रामानन्द पुत्र श्याम सरण । 3. श्री तारा चन्द पुत्र टाशी छेरिंग । 4. श्री पदम लाल पुत्र चन्द्र वीर ।	गांव तथा डाकघर बारंग यथोपरि यथोपरि यथोपरि	

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5. श्री कलसुख पुत्र गांव तथा डाकघर  
बिनुआ । बारंग ।  
6. श्री गुरु पनमा पुत्र गांव तथा डाकघर  
जीता दास । मेवर ।  
7. श्री बलदेव सिंह पुत्र  
देवा देव । यथोपरि

## तहसील सांगला

24. छितकुल	1. श्री सिस पाल सिंह पुत्र बहादुर वीर । 2. श्री तोता राम पुत्र दर्जे राम । 3. श्री जंगर्खु राम पुत्र गंगावर । 4. श्री भागीरथ पुत्र छेतन छोपले । 5. श्री कुंगराम पुत्र उजलसुख । 6. योगर सिंह पुत्र डन्डुपराम । 7. श्री राजपाल सिंह पुत्र चन्द्रराम नेगी ।	गांव तथा डाकघर छितकुल यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि
25. रकछम	1. श्री दर्शन लाल पुत्र सुखजीत 2. श्री भजन दास पुत्र महानन्द 3. श्री नन्दन राम पुत्र रघुवीर 4. श्री तनजिन छेरिग पुत्र छेवतन 5. श्री ध्यान दत्त पुत्र लालसुख 6. श्री व्यास भगत पुत्र शिवलाल 7. श्री नन्द सागर पुत्र महपत सिंह	गांव तथा डाकघर रकछम यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि
26. सांगला	1. श्री विशुक सैन पुत्र ज्वाला दास 2. श्री रामरखपाल सिंह पुत्र गंगा सुख 3. श्री टिकम दास नंगी पुत्र चन्द्रसैन	गांव तथा डाकघर सांगला । यथोपरि । यथोपरि ।

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		4. श्री अनमोल सिंह पुत्र धनमन- दास ।	गांव तथा डाकघर, सांगला ।
		5. श्री पूर्ण भगत पुत्र नरजिङ्ग	यथोपरि
		6. श्री सुख लाल पुत्र कालीचरण	गांव तथा डाकघर बट्टसेरी ।
		7. श्री रत्न लाल पुत्र गुरु लाल	यथोपरि
27. कामरू	1. श्री सुन्दर लाल पुत्र पलसराम 2. श्री ईश्वर पाल पुत्र उत्तमवीर 3. श्री तुलसी राम पुत्र मालचन्द 4. श्री आनन्द सिंह पुत्र रामगीर 5. श्री मूरली सुख पुत्र सुख ध्यान 6. श्री गणेश भगत पुत्र सादरजीत 7. श्री शंकर दास पुत्र ज्ञालछन दास	गांव तथा डाकघर कामरू । यथोपरि यथोपरि गांव शौंग, डाकघर शौंग । यथोपरि गांव तथा डाकघर चांसू । यथोपरि	
28. किलबा	1. श्री देव राज सिंह पुत्र डन्डुब- छोपेल । 2. श्री कृष्ण सिंह पुत्र ज्ञानवर 3. श्री मोहर सिंह पुत्र मालबरदास 4. श्री कृष्ण लाल पुत्र पूर्णजीत 5. श्री चन्द्र सैन पुत्र नरसिंहदास 6. श्री मदन लाल पुत्र विधिराम 7. श्रीमती राम प्यारी पत्नी सनम दरजे ।	गांव तथा डाकघर किलबा । गांव तथा डाकघर सापनी । गांव कनई, डाकघर सापनी । गांव बटुरी, डाकघर सापनी । गांव तथा डाकघर ब्रुआ । गांव तथा डाकघर सापनी । गांव तथा डाकघर किलबा ।	
निचार	29. उरनी	1. श्री बलबहादुर पुत्र वरकतदास 2. श्री विद्या सिंह पुत्र ग्योलग	गांव तथा डाकघर उरनी । यथोपरि

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		3. श्री सुभाष चन्द्र पुत्र हीरा सिंह	गांव तथा डाकघर उरनी।
		4. श्री लक्ष्मी नन्द पुत्र फुलासुख	यथोपरि
		5. श्री ब्रेम सिंह पुत्र चन्द्रबीर	गांव मील, डाकघर उरनी।
		6. श्री छेरिंग मेन्डुप पुत्र दिल्ली-राम	यथोपरि
		7. श्री लक्ष्मण सिंह पुत्र जिन्डव-राम।	गांव तथा डाकघर युला।
30. भावा	1. श्री संज्ञा सुख पुत्र उदम	गांव काफनु (भावा)	डाकघर भावा।
	2. श्री रत्न सिंह पुत्र कृष्ण दास	गांव हुरी (भावा)	डाकघर भावा।
	3. श्री छेरिंगग्याल पुत्र गुरदयाल	गांव यंगपा (भावा)	डाकघर भावा।
	4. श्री लौंग राम पुत्र जोवन दास	यथोपरि	
	5. श्री देविन्द्र सिंह पुत्र राम-छेरिंग।	गांव श्रावा (भावा)	डाकघर भावा।
	6. श्री वीरचन्ददास पुत्र रामजोर।	गांव कटगांव (भावा)	डाकघर भावा।
	7. श्री पम्पु राम पुत्र चैका	गांव शौगो (भावा)	डाकघर भावा।
31. नातपा	1. श्री अमर राम पुत्र उमासरन	गांव तथा डाकघर नातपा।	
	2. श्री उगर सैन पुत्र राम चन्द्र-दास।	यथोपरि	
	3. श्री भाग सुख पुत्र लाल सुख	यथोपरि	
	4. श्री चन्द्र लाल सुत्र कुम्भ-दास।	यथोपरि	
	5. श्री मोती लाल पुत्र राम-सरन	गांव कन्डार, डाकघर नातपा।	
	6. श्री सिधुवा पुत्र जोवनग्रा	गांव घरशु, डाकघर नातपा।	
	7. श्री लखुआ पुत्र नरपुर	गांव काचरंग, डाकघर नातपा।	
33. रूपी	1. श्री भगवान सिंह पुत्र सागर दास।	गांव तथा डाकघर रूपी।	

		2. श्री नरम पुत्र ग्यालु 3. श्री सनम दास पुत्र नकल 4. श्री उत्तम सिंह पुत्र अरंजुन दास। 5. श्री सीता शम पुत्र विलकु 6. श्री श्याम सुख पुत्र हरदास 7. श्री करमचन्द पुत्र मनोहर दास	गांव तथा डाकघर रूपी। यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि यथोपरि
34. तराण्डा	1. श्री दया नन्द पुत्र सनम जोर 2. श्री जीवन लाल पुत्र धर्मपुर 3. श्री डुलुपराम पुत्र धरकुवा 4. श्री गंगावर पुत्र रनजोर 5. श्री सोचा राम पुत्र उधम 6. श्री ठाकुर सैन पुत्र आत्म राम 7. श्री उत्तमबीर पुत्र लक्ष्मी दास	गांव तराण्डा, डाकघर निगुलसारी। यथोपरि गांव नानस्पो, डाकघर निगुलसारी। गांव तथा डाकघर निगुलसारी। गांव थाच, डाकघर निगुलसारी। गांव तथा डाकघर चौरा। गांव कफोर, डाकघर चौरा।	
34. पौड़ा	1. श्री गोगालसिंह पुत्र उमा छेरिंग 2. श्री बद्रीदास पुत्र जालम जोर 3. श्री जामापुर पुत्र अमर दास 4. श्री प्यारे लाल पुत्र राम सिंह 5. श्री सीता राम पुत्र इन्द्र- सैन। 6. श्री नरगु राम पुत्र रामसरन 7. श्री लौंगुराम पुत्र छेयंग	गांव कंगोस, डाकघर सूंगरा। गांव पलिंगी, डाकघर पौड़ा। गांव काचे, डाकघर पौड़ा। गांव तथा डाकघर बरी। यथोपरि यथोपरि यथोपरि	

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38. चगांव	1. श्री गुरु लाल पुत्र राख्या राम	गांव तथा डाकवर चगांव ।
	2. श्री बहादुर सुखा पुत्र लच्चपुर	यथोपरि
	3. श्री नरपत पुत्र भावटिया	यथोपरि
	4. श्री सुभाष पुत्र देवापुर	यथोपरि
	5. श्री राम चन्द्र पुत्र सनम छोडा	यथोपरि
	6. श्री पूर्णभक्त पुत्र हीरासैन	यथोपरि
	7. श्री बहादुर सिंह पुत्र चैनराम	यथोपरि

सुरेन्द्र मोहन कट्टवाल,  
ज़िलाधीश, किन्नौर मण्डल ।